

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): TROPE AND TROPE SORRELL TROPE (State Bar 21103) 12121 WILSHIRE BOULEVARD SUITE 801 LOS ANGELES, CA 90025 TELEPHONE NO.: (310) 207-8228 FAX NO. (Optional): (310) 826-1122 E-MAIL ADDRESS (Optional): ATTORNEY FOR (Name): VA'SHAUNDYA O'NEAL		FOR COURT USE ONLY FILED Superior Court of California County of Los Angeles NOV 09 2009 John A. Clarke, Executive Officer/ Clerk By <u>Stephanie Man</u>, Deputy STEPHANIE MAN
SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES STREET ADDRESS: 111 N. HILL STREET MAILING ADDRESS: SAME CITY AND ZIP CODE: LOS ANGELES 90012 BRANCH NAME: CENTRAL JUDICIAL DISTRICT		CASE NUMBER: 80515183
MARRIAGE OF PETITIONER: VA'SHAUNDYA O'NEAL RESPONDENT: SHAQUILLE O'NEAL		
PETITION FOR ☐ Dissolution of Marriage ☒ Legal Separation WITH INTENT TO AMEND TO PETITION FOR DISSOLUTION PER FC 2321 ☐ Nullity of Marriage		☐ AMENDED

1. RESIDENCE (Dissolution only) ☐ Petitioner ☐ Respondent has been a resident of this state for at least six months and of this county for at least three months immediately preceding the filing of this *Petition for Dissolution of Marriage*.
2. STATISTICAL FACTS

a. Date of marriage: 12/26/2002	c. Time from date of marriage to date of separation (specify):
b. Date of separation: 11/09/09	Years: 6 Months: 11
3. DECLARATION REGARDING MINOR CHILDREN (include children of this relationship born prior to or during the marriage or adopted during the marriage):

a. ☐ There are no minor children.				
b. ☒ The minor children are:	<u>Child's name</u>	<u>Birthdate</u>	<u>Age</u>	<u>Sex</u>
	SHAREEF O'NEAL	01/11/2000	9	MALE
	AMIRAH O'NEAL	11/13/2001	7	FEMALE
	SHAQIR O'NEAL	04/19/2003	6	MALE
	MEARAH O'NEAL	05/01/2006	3	FEMALE

☐ Continued on Attachment 3b.

c. If there are minor children of the Petitioner and Respondent, a completed *Declaration Under Uniform Child Custody Jurisdiction and Enforcement Act (UCCJEA)* (form FL-105) must be attached.

d. ☐ A completed voluntary declaration of paternity regarding minor children born to the Petitioner and Respondent prior to the marriage is attached.
4. SEPARATE PROPERTY

Petitioner requests that the assets and debts listed ☐ in *Property Declaration* (form FL-160) ☐ in Attachment 3a.

☒ below be confirmed as separate property.

Item

TO BE DETERMINED.

NOTICE: You may redact (black out) social security numbers from any written material filed with the court in this case other than a form used to collect child or spousal support.

C17/CASE: 80515183 LEA/DEF: 14
 RECEIPT #: FINE29766013
 DATE PAID: 11/09/09 10:13:24 AM
 PAYMENT: \$355.00
 RECEIVED BY: 0310
 CHECK: 355.00
 CASH: 0.00
 CHARGE: 0.00
 CREDIT: 0.00

MARRIAGE OF (last name, first name of parties):
MARRIAGE OF O'NEAL

CASE NUMBER:

5. DECLARATION REGARDING COMMUNITY AND QUASI-COMMUNITY ASSETS AND DEBTS AS CURRENTLY KNOWN

- a. ☐ There are no such assets or debts subject to disposition by the court in this proceeding.
b. ☒ All such assets and debts are listed ☐ in Property Declaration (form FL-160) ☐ in Attachment 5b.
☒ below (specify):

TO BE DETERMINED.

6. Petitioner requests

- a. ☐ dissolution of the marriage based on
(1) ☐ irreconcilable differences. (Fam. Code, § 2310(a).)
(2) ☐ incurable insanity. (Fam. Code, § 2310(b).)
b. ☒ legal separation of the parties based on
(1) ☒ irreconcilable differences. (Fam. Code, § 2310(a).)
(2) ☐ incurable insanity. (Fam. Code, § 2310(b).)
c. ☐ nullity of void marriage based on
(1) ☐ incestuous marriage. (Fam. Code, § 2200.)
(2) ☐ bigamous marriage. (Fam. Code, § 2201.)
d. ☐ nullity of voidable marriage based on
(1) ☐ petitioner's age at time of marriage. (Fam. Code, § 2210(a).)
(2) ☐ prior existing marriage. (Fam. Code, § 2210(b).)
(3) ☐ unsound mind. (Fam. Code, § 2210(c).)
(4) ☐ fraud. (Fam. Code, § 2210(d).)
(5) ☐ force. (Fam. Code, § 2210(e).)
(6) ☐ physical incapacity. (Fam. Code, § 2210(f).)

7. Petitioner requests that the court grant the above relief and make injunctive (including restraining) and other orders as follows:

- | | Petitioner | Respondent | Joint | Other |
|--|-------------------------------------|-------------------------------------|--------------------------|--------------------------|
| a. Legal custody of children to VA' SHAUNDYA O'NEAL | ☒ | ☐ | ☐ | ☐ |
| b. Physical custody of children to VA' SHAUNDYA O'NEAL | ☒ | ☐ | ☐ | ☐ |
| c. Child visitation be granted to SHAQUILLE O'NEAL | ☐ | ☒ | ☐ | ☐ |
| As requested in form: ☐ FL-311 ☐ FL-312 ☐ FL-341(C) ☐ FL-341(D) ☐ FL-341(E) ☐ Attachment 7c. | | | | |
| d. ☐ Determination of parentage of any children born to the Petitioner and Respondent prior to the marriage. | | | | |
| e. Attorney fees and costs payable by SHAQUILLE O'NEAL | ☐ | ☒ | | |
| f. Spousal support payable to (earnings assignment will be issued) VA' SHAUNDYA O'NEAL | ☒ | ☐ | | |
| g. ☒ Terminate the court's jurisdiction (ability) to award spousal support to Respondent. | | | | |
| h. ☒ Property rights be determined. | | | | |
| i. ☐ Petitioner's former name be restored to (specify): | | | | |
| j. ☐ Other (specify): | | | | |

☐ Continued on Attachment 7j.

8. Child support—If there are minor children born to or adopted by the Petitioner and Respondent before or during this marriage, the court will make orders for the support of the children upon request and submission of financial forms by the requesting party. An earnings assignment may be issued without further notice. Any party required to pay support must pay interest on overdue amounts at the "legal" rate, which is currently 10 percent.

9. I HAVE READ THE RESTRAINING ORDERS ON THE BACK OF THE SUMMONS, AND I UNDERSTAND THAT THEY APPLY TO ME WHEN THIS PETITION IS FILED.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: NOVEMBER 9, 2009

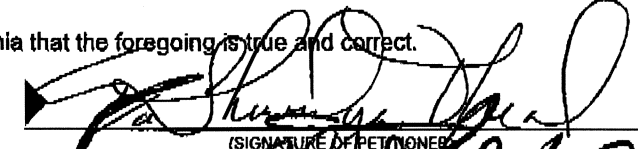
VA' SHAUNDYA O'NEAL

(TYPE OR PRINT NAME)

Date: NOVEMBER 9, 2009

TROPE AND TROPE/SORRELL TROPE, ESQ.

(TYPE OR PRINT NAME)


(SIGNATURE OF PETITIONER)

(SIGNATURE OF ATTORNEY FOR PETITIONER)

NOTICE: Dissolution or legal separation may automatically cancel the rights of a spouse under the other spouse's will, trust, retirement plan, power of attorney, pay on death bank account, survivorship rights to any property owned in joint tenancy, and any other similar thing. It does not automatically cancel the right of a spouse as beneficiary of the other spouse's life insurance policy. You should review these matters, as well as any credit cards, other credit accounts, insurance policies, retirement plans, and credit reports to determine whether they should be changed or whether you should take any other actions. However, some changes may require the agreement of your spouse or a court order (see Family Code sections 231–235).

SUMMONS (Family Law)

FL-110
CITACIÓN (Derecho familiar)

NOTICE TO RESPONDENT (Name): SHAQUILLE O'NEAL
AVISO AL DEMANDADO (Nombre):

You are being sued. Lo están demandando.

Petitioner's name is: VA' SHAUNDYA O'NEAL
Nombre del demandante:

CASE NUMBER (NÚMERO DE CASO):

90515183

John A. Clarke, Executive Officer/ Clerk

By STEPHANIE MAN, Deputy

FOR COURT USE ONLY

(SÓLO PARA USO DE LA CORTE)

FILED
Superior Court of California
County of Los Angeles

NOV 09 2009

You have 30 calendar days after this Summons and Petition are served on you to file a Response (form FL-120 or FL-123) at the court and have a copy served on the petitioner. A letter or phone call will not protect you.

If you do not file your Response on time, the court may make orders affecting your marriage or domestic partnership, your property, and custody of your children. You may be ordered to pay support and attorney fees and costs. If you cannot pay the filing fee, ask the clerk for a fee waiver form.

If you want legal advice, contact a lawyer immediately. You can get information about finding lawyers at the California Courts Online Self-Help Center (www.courtinfo.ca.gov/selfhelp), at the California Legal Services Web site (www.lawhelpcalifornia.org), or by contacting your local county bar association.

Tiene 30 días corridos después de haber recibido la entrega legal de esta Citación y Petición para presentar una Respuesta (formulario FL-120 ó FL-123) ante la corte y efectuar la entrega legal de una copia al demandante. Una carta o llamada telefónica no basta para protegerlo.

Si no presenta su Respuesta a tiempo, la corte puede dar órdenes que afecten su matrimonio o pareja de hecho, sus bienes y la custodia de sus hijos. La corte también le puede ordenar que pague manutención, y honorarios y costos legales. Si no puede pagar la cuota de presentación, pida al secretario un formulario de exención de cuotas.

Si desea obtener asesoramiento legal, póngase en contacto de inmediato con un abogado. Puede obtener información para encontrar a un abogado en el Centro de Ayuda de las Cortes de California (www.sucorte.ca.gov), en el sitio Web de los Servicios Legales de California (www.lawhelpcalifornia.org) o poniéndose en contacto con el colegio de abogados de su condado.

NOTICE: The restraining orders on page 2 are effective against both spouses or domestic partners until the petition is dismissed, a judgment is entered, or the court makes further orders. These orders are enforceable anywhere in California by any law enforcement officer who has received or seen a copy of them.

AVISO: Las órdenes de restricción que figuran en la página 2 valen para ambos cónyuges o pareja de hecho hasta que se despidan la petición, se emita un fallo o la corte dé otras órdenes. Cualquier autoridad de la ley que haya recibido o visto una copia de estas órdenes puede hacerlas acatar en cualquier lugar de California.

NOTE: If a judgment or support order is entered, the court may order you to pay all or part of the fees and costs that the court waived for yourself or for the other party. If this happens, the party ordered to pay fees shall be given notice and an opportunity to request a hearing to set aside the order to pay waived court fees.

AVISO: Si se emite un fallo u orden de manutención, la corte puede ordenar que usted pague parte de, o todas las cuotas y costos de la corte previamente exentas a petición de usted o de la otra parte. Si esto ocurre, la parte ordenada a pagar estas cuotas debe recibir aviso y la oportunidad de solicitar una audiencia para anular la orden de pagar las cuotas exentas.

1. The name and address of the court are (El nombre y dirección de la corte son):

SUPERIOR COURT OF CALIFORNIA
111 N. HILL STREET
SAME
LOS ANGELES 90012

2. The name, address, and telephone number of petitioner's attorney, or the petitioner without an attorney, are:
(El nombre, dirección y número de teléfono del abogado del demandante, o del demandante si no tiene abogado, son):

TROPE AND TROPE
SORRELL TROPE (State Bar 21103)
12121 WILSHIRE BOULEVARD, SUITE 801
LOS ANGELES, CA 90025

(310) 207-8228
21103

Date (Fecha):

NOV 09 2009

Clerk, by (Secretario, por)

JOHN A. CLARKE, CLERK

STEPHANIE MAN, Deputy (Asistente)



NOTICE TO THE PERSON SERVED: You are served

AVISO A LA PERSONA QUE RECIBIÓ LA ENTREGA: Esta entrega se realiza

- a. ☒ as an individual. (a usted como individuo.)
b. ☐ on behalf of respondent who is a (en nombre de un demandado que es):
(1) ☐ minor (menor de edad)
(2) ☐ ward or conservatee (dependiente de la corte o pupilo)
(3) ☐ other (specify) (otro - especifique):

(Read the reverse for important information.) (Lea importante información al dorso.)

WARNING—IMPORTANT INFORMATION

WARNING: California law provides that, for purposes of division of property upon dissolution of a marriage or domestic partnership or upon legal separation, property acquired by the parties during marriage or domestic partnership in joint form is presumed to be community property. If either party to this action should die before the jointly held community property is divided, the language in the deed that characterizes how title is held (i.e., joint tenancy, tenants in common, or community property) will be controlling, and not the community property presumption. You should consult your attorney if you want the community property presumption to be written into the recorded title to the property.

STANDARD FAMILY LAW RESTRAINING ORDERS

Starting immediately, you and your spouse or domestic partner are restrained from

1. Removing the minor child or children of the parties, if any, from the state without the prior written consent of the other party or an order of the court;
2. Cashing, borrowing against, canceling, transferring, disposing of, or changing the beneficiaries of any insurance or other coverage, including life, health, automobile, and disability, held for the benefit of the parties and their minor child or children;
3. Transferring, encumbering, hypothecating, concealing, or in any way disposing of any property, real or personal, whether community, quasi-community, or separate, without the written consent of the other party or an order of the court, except in the usual course of business or for the necessities of life; and
4. Creating a nonprobate transfer or modifying a nonprobate transfer in a manner that affects the disposition of property subject to the transfer, without the written consent of the other party or an order of the court. Before revocation of a nonprobate transfer can take effect or a right of survivorship to property can be eliminated, notice of the change must be filed and served on the other party.

You must notify each other of any proposed extraordinary expenditures at least five business days prior to incurring these extraordinary expenditures and account to the court for all extraordinary expenditures made after these restraining orders are effective. However, you may use community property, quasi-community property, or your own separate property to pay an attorney to help you or to pay court costs.

ADVERTENCIA – INFORMACIÓN IMPORTANTE

ADVERTENCIA: De acuerdo a la ley de California, las propiedades adquiridas por las partes durante su matrimonio o pareja de hecho en forma conjunta se consideran propiedad comunitaria para los fines de la división de bienes que ocurre cuando se produce una disolución o separación legal del matrimonio o pareja de hecho. Si cualquiera de las partes de este caso llega a fallecer antes de que se divida la propiedad comunitaria de tenencia conjunta, el destino de la misma quedará determinado por las cláusulas de la escritura correspondiente que describen su tenencia (por ej., tenencia conjunta, tenencia en común o propiedad comunitaria) y no por la presunción de propiedad comunitaria. Si quiere que la presunción comunitaria quede registrada en la escritura de la propiedad, debería consultar con un abogado.

ÓRDENES DE RESTRICCIÓN NORMALES DE DERECHO FAMILIAR

En forma inmediata, usted y su cónyuge o pareja de hecho tienen prohibido:

1. Llevarse del estado de California a los hijos menores de las partes, si los hubiere, sin el consentimiento previo por escrito de la otra parte o una orden de la corte;
2. Cobrar, pedir prestado, cancelar, transferir, deshacerse o cambiar el nombre de los beneficiarios de cualquier seguro u otro tipo de cobertura, tal como de vida, salud, vehículo y discapacidad, que tenga como beneficiario(s) a las partes y su(s) hijo(s) menor(es);
3. Transferir, gravar, hipotecar, ocultar o deshacerse de cualquier manera de cualquier propiedad, inmueble o personal, ya sea comunitaria, cuasicomunitaria o separada, sin el consentimiento escrito de la otra parte o una orden de la corte, con excepción las operaciones realizadas en el curso normal de actividades o para satisfacer las necesidades de la vida; y
4. Crear o modificar una transferencia no testamentaria de manera que afecte el destino de una propiedad sujeta a transferencia, sin el consentimiento por escrito de la otra parte o una orden de la corte. Antes de que se pueda eliminar la revocación de una transferencia no testamentaria, se debe presentar ante la corte un aviso del cambio y hacer una entrega legal de dicho aviso a la otra parte.

Cada parte tiene que notificar a la otra sobre cualquier gasto extraordinario propuesto, por lo menos cinco días laborales antes de realizarlo, y rendir cuenta a la corte de todos los gastos extraordinarios realizados después de que estas órdenes de restricción hayan entrado en vigencia. No obstante, puede usar propiedad comunitaria, cuasicomunitaria o suya separada para pagar a un abogado o para ayudarle a pagar los costos de la corte.

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): TROPE AND TROPE SORRELL TROPE (State Bar 21103) 12121 WILSHIRE BOULEVARD SUITE 801 LOS ANGELES, CA 90025 TELEPHONE NO.: (310) 207-8228 FAX NO. (Optional): (310) 826-1122 E-MAIL ADDRESS (Optional): ATTORNEY FOR (Name): VA' SHAUNDYA O'NEAL		FOR COURT USE ONLY FILED Superior Court of California County of Los Angeles NOV 09 2009 John A. Clarke, Executive Officer/ Clerk By <u>Stephanie Man</u> , Deputy STEPHANIE MAN	
SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES STREET ADDRESS: 111 N. HILL STREET MAILING ADDRESS: SAME CITY AND ZIP CODE: LOS ANGELES 90012 BRANCH NAME: CENTRAL JUDICIAL DISTRICT		(This section applies only to family law cases.) By <u>Stephanie Man</u> , Deputy STEPHANIE MAN	
PETITIONER: VA' SHAUNDYA O'NEAL RESPONDENT: SHAQUILLE O'NEAL OTHER PARTY:			
(This section applies only to guardianship cases.) GUARDIANSHIP OF (Name): _____ Minor		CASE NUMBER: 00515183	
DECLARATION UNDER UNIFORM CHILD CUSTODY JURISDICTION AND ENFORCEMENT ACT (UCCJEA)			

1. I am a party to this proceeding to determine custody of a child.
2. ☐ My present address and the present address of each child residing with me is confidential under Family Code section 3429 as I have indicated in item 3.
3. There are (specify number): **4** minor children who are subject to this proceeding, as follows:
 (Insert the information requested below. The residence information must be given for the last FIVE years.)

a. Child's name SHAREEF O'NEAL	Place of birth LOS ANGELES, CA	Date of birth 01/11/2000	Sex MALE
Period of residence 11/08/09 to present	Address LOS ANGELES, CA ☐ Confidential	Person child lived with (name and complete current address) VA' SHAUNDYA O'NEAL ☐ Confidential	Relationship MOTHER
9/2009 to 11/8/09	Child's residence (City, State) WINDERMERE, FL 34786	Person child lived with (name and complete current address) VA' SHAUNDYA O'NEAL	MOTHER
8/2009 to 9/2009	Child's residence (City, State) LOS ANGELES, CA	Person child lived with (name and complete current address) VA' SHAUNDYA O'NEAL SHAQUILLE O'NEAL	MOTHER & FATHER
5/2009 to 8/2009	Child's residence (City, State) WINDERMERE, FL 34100	Person child lived with (name and complete current address) VA' SHAUNDYA O'NEAL SHAQUILLE O'NEAL	MOTHER & FATHER
b. Child's name ☒ Residence information is the same as given above for child a. (If NOT the same, provide the information below.)	Place of birth LOS ANGELES, CA	Date of birth 11/13/2001	Sex FEMALE
Period of residence to present	Address ☐ Confidential	Person child lived with (name and complete current address) ☐ Confidential	Relationship
to	Child's residence (City, State)	Person child lived with (name and complete current address)	
to	Child's residence (City, State)	Person child lived with (name and complete current address)	
to	Child's residence (City, State)	Person child lived with (name and complete current address)	

c. ☐ Additional residence information for a child listed in item a or b is continued on attachment 3c.

d. ☒ Additional children are listed on form FL-105(A)/GC-120(A). (Provide all requested information for additional children.) Page 1 of 2

SHORT TITLE: MARRIAGE OF O'NEAL	CASE NUMBER:
---------------------------------	--------------

4. Do you have information about, or have you participated as a party or as a witness or in some other capacity in, another court case or custody or visitation proceeding, in California or elsewhere, concerning a child subject to this proceeding?

☒ Yes ☐ No (If yes, attach a copy of the orders (if you have one) and provide the following information):

Proceeding	Case number	Court (name, state, location)	Court order or judgment (date)	Name of each child	Your connection to the case	Case status
a. ☒ Family	07-23744 FC01	MIAMI-DADE COUNTY, FLORIDA	N/A	ALL CHILDREN	PARTY	DISMISSED
b. ☐ Guardianship						
c. ☐ Other						

Proceeding	Case Number	Court (name, state, location)
d. ☐ Juvenile Delinquency/ Juvenile Dependency		
e. ☐ Adoption		

5. ☐ One or more domestic violence restraining/protective orders are now in effect. (Attach a copy of the orders if you have one and provide the following information):

Court	County	State	Case number (if known)	Orders expire (date)
a. ☐ Criminal				
b. ☐ Family				
c. ☐ Juvenile Delinquency/ Juvenile Dependency				
d. ☐ Other				

6. Do you know of any person who is not a party to this proceeding who has physical custody or claims to have custody of or visitation rights with any child in this case? ☐ Yes ☒ No (If yes, provide the following information):

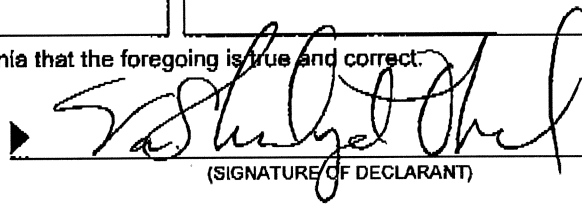
a. Name and address of person ☐ Has physical custody ☐ Claims custody rights ☐ Claims visitation rights Name of each child	b. Name and address of person ☐ Has physical custody ☐ Claims custody rights ☐ Claims visitation rights Name of each child	c. Name and address of person ☐ Has physical custody ☐ Claims custody rights ☐ Claims visitation rights Name of each child
---	---	---

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: NOVEMBER 9, 2009

VA' SHAUNDYA O'NEAL

(TYPE OR PRINT NAME)


 (SIGNATURE OF DECLARANT)

7. ☒ Number of pages attached: 2

NOTICE TO DECLARANT: You have a continuing duty to inform this court if you obtain any information about a custody proceeding in a California court or any other court concerning a child subject to this proceeding.

Child's name SHAQIR O'NEAL		Place of birth LOS ANGELES, CA	Date of birth 04/19/2003	Sex MALE
☒ Residence information is the same as given above for child a. <i>(If NOT the same, provide the information below.)</i>				
Period of residence to present	Address ☐ Confidential	Person child lived with (name and present address)		Relationship
to				
to				
to				
to				

Child's name MEARAH O'NEAL		Place of birth MIAMI, FL	Date of birth 05/01/2006	Sex FEMALE
☒ Residence information is the same as given above for child a. <i>(If NOT the same, provide the information below.)</i>				
Period of residence to present	Address ☐ Confidential	Person child lived with (name and present address)		Relationship
to				
to				
to				
to				

Child's name		Place of birth	Date of birth	Sex
☐ Residence information is the same as given above for child a. <i>(If NOT the same, provide the information below.)</i>				
Period of residence to present	Address ☐ Confidential	Person child lived with (name and present address)		Relationship
to				
to				
to				
to				

Attachment 3c

DECLARATION UNDER
UNIFORM CHILD CUSTODY JURISDICTION AND ENFORCEMENT ACT (UCCJEA)

Legal
Solutions
& Plus

FL-105/GC-120

FL105A3C

ATTACHMENT TO
DECLARATION UNDER UNIFORM CHILD CUSTODY JURISDICTION AND
ENFORCEMENT ACT (UCCJEA)

PERIOD OF RESIDENCE	ADDRESS	PERSON CHILD LIVED WITH	REL.
8/2008 TO 5/2009		VA' SHAUNDYA O'NEAL SHAQUILLE O'NEAL	MOTHER & FATHER
7/2008 TO 8/2008	WINDERMERE, FL 34786	VA' SHAUNDYA O'NEAL SHAQUILLE O'NEAL	MOTHER & FATHER
3/2008 TO 6/2008	BEVERLY HILLS, CA 90210	VA' SHAUNDYA O'NEAL	MOTHER & FATHER
2004 TO 3/2008	MIAMI BEACH, FL 33139	VA' SHAUNDYA O'NEAL SHAQUILLE O'NEAL	MOTHER & FATHER