

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): Jill Diven, In Pro Per		FOR COURT USE ONLY FILED LOS ANGELES SUPERIOR COURT JUL 14 2006 JOHN A. CLARKE, CLERK BY: <i>Shahary</i> DEPUTY BD449454 CASE NUMBER: BD449454
TELEPHONE NO.: (310) 475-9520 FAX NO. (Optional):	E-MAIL ADDRESS (Optional):	
ATTORNEY FOR (Name): Petitioner, In Pro Per SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES STREET ADDRESS: 111 N. Hill Street MAILING ADDRESS: 111 N. Hill Street CITY AND ZIP CODE: Los Angeles, CA 90012 BRANCH NAME: CENTRAL		
MARRIAGE OF PETITIONER: JILL DIVEN RESPONDENT: BRAD GERSTENFELD		
PETITION FOR <input checked="" type="checkbox"/> Dissolution of Marriage <input type="checkbox"/> Legal Separation <input type="checkbox"/> Nullity of Marriage		<input type="checkbox"/> 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: 5/18/99 c. Time from date of marriage to date of separation (specify):
 b. Date of separation: 4/7/06 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:

Child's name	Birthdate	Age	Sex
Maxwell Bradley	October 14, 1998	7	M
Hope Violet	February 3, 2000	6	F

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-180) in Attachment 3b.

below be confirmed as separate property.

Item

The nature and extent of the separate property has not been determined as of the date of filing of this Petition. When same is determined, Petitioner will seek leave of Court to amend this Petition.

CITY/CASE: BD449454 LEA/DE
 RECEIPT # 12
 DATE PAID: 8/14/06 12:10 PM
 PAYMENT: \$20.00
 RECEIVED
 CHAMBERLAIN
 CLERK
 \$20.00

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.

IN RE: THE MATTER OF:

(NAME) PETITIONER: JILL DIVEN	CASE NUMBER
(NAME) RESPONDENT: BRAD GERSTENFELD	RELATED CASES (IF ANY):

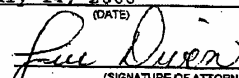
1 TYPE OF ACTION (Check only one)	2 APPLICABLE REASONS (See above)
<input type="checkbox"/> AB080 Petition to Establish Parentage / Paternity (Non-governmental)	1., 2., 3.
<input type="checkbox"/> AB111 Approval of Minor's Contract (6751 Family Code)	1.
<input type="checkbox"/> AB130 Other Family Complaint or Petition (Specify):	1., 2., 3.
<input type="checkbox"/> AB101 Agency Adoption	1., 4.
<input type="checkbox"/> AB102 Independent Adoption	1., 4.
<input type="checkbox"/> AB104 Stepparent Adoption	1., 4.
<input type="checkbox"/> AB103 Adult Adoption	1., 4.
<input type="checkbox"/> AB106 Sole Custody Petition	1., 4.

III. Enter address of minor child if known. (DO NOT COMPLETE UNLESS YOU HAVE CIRCLED ITEM 3 AS AN APPLICABLE REASON)

ADDRESS:	CITY:	STATE:	ZIP CODE:
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3) Fill in the information and sign the certificate.

Certificate / Declaration of Assignment: The undersigned hereby certifies and declares that the above entitled matter is properly filed for assignment to the Central District of the Los Angeles Superior Court under §392 et seq., Code of Civil Procedure, 2300 et seq. of the Family Code, and Rule 2(b), (c) and (d) of this court for reason checked above. I certify and declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct and this declaration was executed on July 14, 2006

(DATE)

 (SIGNATURE OF ATTORNEY/PARTY WITHOUT ATTORNEY)
 JILL DIVEN, IN PRO PER

New Family Case Filing Instructions

This cover sheet form is required so that the court can assign your case to the correct court district for filing and hearing. It satisfies the requirement for a certificate as to reasons for authorizing filing in the district, as set forth in Los Angeles Superior Court Local Rule 2(d). It must be completed and submitted to the court along with the original Complaint or Petition in ALL Family cases filed in any district (including the Central District) of the Los Angeles County Superior Court.

PLEASE HAVE THE FOLLOWING DOCUMENTS COMPLETED AND READY TO BE FILED IN ORDER TO PROPERLY COMMENCE YOUR NEW COURT CASE:

1. Original Complaint or Petition.
2. Original Summons (Dissolution, Legal Separation or Nullity only).
3. Original Family Law Case Cover Sheet.
4. Payment of filing fee or an Order of the Court waiving payment of filing fees in forma pauperis (fee waiver application forms available at the Forms Counter).
5. Except when applying for orders restraining or enjoining violence, petitioners who are minors under 18 years of age and otherwise not emancipated must have an Order of the Court appointing an adult as a guardian ad litem to act on their behalf (Guardian ad Litem Application and Order forms available at the Forms Counter).
6. Additional copies of documents provided to the Clerk will be conformed and returned to you if a self-addressed stamped envelope is provided.

MARRIAGE OF (last name, first name of party): DIVEN/GERSTENFELD DISSOLUTION	NUMBER:
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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):

The nature and extent of the community property has not been determined as yet. When same is determined Petitioner will seek leave of Court to amend this Petition.

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 | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b. Physical custody of children to | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c. Child visitation be granted to | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
- 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
 - f. Spousal support payable to (earnings assignment will be issued)
 - 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.

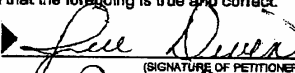
8. Child support—If there are minor children born to or adopted by the Petitioner and Respondent before or during this marriage, the court will make orders for the support of the children upon request and submission of financial forms by the requesting party. An earnings assignment may be issued without 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: July 14, 2006

JILL DIVEN _____
(TYPE OR PRINT NAME)


(SIGNATURE OF PETITIONER)

Date:

Jill Diven, In Pro Per _____
(TYPE OR PRINT NAME)


(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).

FL-105/GC-120

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State, number, and address): Jill Diven TELEPHONE NO.: (310) 475-9520 FAX NO. (Optional): E-MAIL ADDRESS (Optional): ATTORNEY FOR (Name): Petitioner, In Pro Per SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES STREET ADDRESS: 111 N. Hill Street MAILING ADDRESS: 111 N. Hill Street CITY AND ZIP CODE: Los Angeles, CA 90012 BRANCH NAME: CENTRAL PETITIONER: JILL DIVEN RESPONDENT: BRAD GERSTENFELD		FOR COURT USE ONLY FILED LOS ANGELES SUPERIOR COURT JUL 14 2006 JOHN CLARKE, CLERK BY <i>Al Habry</i> DEPUTY
DECLARATION UNDER UNIFORM CHILD CUSTODY JURISDICTION AND ENFORCEMENT ACT (UCCJEA)		CASE NUMBER: BU449454

- I am a party to this proceeding to determine custody of a child.
- My present address is not disclosed. It is confidential under Family Code section 3429. I have listed the address of the children presently residing with me as confidential.
- (Number): Two minor children 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	Place of birth	Date of birth	Sex
Maxwell Bradley	Los Angeles	10-14-98	M
Period of residence	Address	Person child lived with (name and present address)	Relationship
9/04 to present	LA	Father & Mother	Parents
Birth to 9/04		Father & Mother	Parents
to			
to			
to			

b. Child's name	Place of birth	Date of birth	Sex
Hope Violet	Los Angeles	2-3-00	F
<input checked="" type="checkbox"/> Residence information is the same as given above for child a. (If NOT the same, provide the information below.)			
Period of residence	Address	Person child lived with (name and present address)	Relationship
to present	<input checked="" type="checkbox"/> Confidential		
to			
to			
to			

c. Additional children are listed on Attachment 3c. (Provide all requested information for additional children.)

SHORT TITLE: DIVEN/GERSTENFELD DISSOLUTION	CASE NUMBER:
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4. Have you participated as a party or a witness or in some other capacity in another litigation or custody proceeding, in California or elsewhere, concerning custody of a child subject to this proceeding?

No Yes (If yes, provide the following information):

a. Name of each child:

b. I was a: party witness other (specify):

c. Court (specify name, state, location):

d. Court order or judgment (date):

5. Do you have information about a custody proceeding pending in a California court or any other court concerning a child in this case, other than that stated in item 4?

No Yes (If yes, provide the following information):

a. Name of each child:

b. Nature of proceeding: dissolution or divorce guardianship adoption other (specify):

c. Court (specify name, state, location):

d. Status of proceeding:

6. One or more domestic violence restraining/protective orders are now in effect. (Attach a copy of the orders if you have one.) The orders are from the following court or courts (specify county and state):

a. <input type="checkbox"/> Criminal: County/state: _____ Case No. (if known): _____	c. <input type="checkbox"/> Juvenile: County/state: _____ Case No. (if known): _____
b. <input type="checkbox"/> Family: County/state: _____ Case No. (if known): _____	d. <input type="checkbox"/> Other: County/state: _____ Case No. (if known): _____

7. 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?

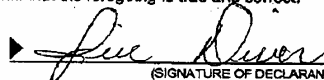
No Yes (If yes, provide the following information):

a. Name and address of person	b. Name and address of person	c. Name and address of person
<input type="checkbox"/> Has physical custody <input type="checkbox"/> Claims custody rights <input type="checkbox"/> Claims visitation rights	<input type="checkbox"/> Has physical custody <input type="checkbox"/> Claims custody rights <input type="checkbox"/> Claims visitation rights	<input type="checkbox"/> Has physical custody <input type="checkbox"/> Claims custody rights <input type="checkbox"/> Claims visitation rights
Name of each child	Name of each child	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: July 14, 2006

JILL DIVEN, IN PRO PER
(TYPE OR PRINT NAME)


(SIGNATURE OF DECLARANT)

8. Number of pages attached after this page:

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.

SUMMONS (Family Law)

CITACIÓN (Derecho familiar) FL-110

NOTICE TO RESPONDENT (Name): BRAD GERSTENFELD
AVISO AL DEMANDADO (Nombre):

You are being sued. Lo están demandando.

Petitioner's name is: JILL DIVEN
Nombre del demandante:

RD449454
CASE NUMBER (NÚMERO DE CASO):

FOR COURT USE ONLY
(SÓLO PARA USO DE LA CORTE)

FILED
LOS ANGELES SUPERIOR COURT
JUL 14 2006
JOHN A. CLARKE, CLERK
BY: *Shahary* DEPUTY

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 o FL-123) ante la corte y efectuar la entrega legal de una copia al solicitante. 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 despida la petición, se emita un fallo o la corte dé otras órdenes. Cualquiera autoridad de la ley que haya recibido o visto una copia de estas órdenes puede hacerlas acatar en cualquier lugar de California.

1. The name and address of the court are (El nombre y dirección de la corte son):
LOS ANGELES SUPERIOR COURT
111 N. Hill Street
111 N. Hill Street
Los Angeles, CA 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):
(310) 475-9520

Jill Diven
10866 Wilshire Boulevard, Suite 1100
Los Angeles, CA 90024

JOHN A. CLARKE, CLERK
Shahary Deputy (Asistente)

Date (Fecha) Jul 14 2006 Clerk, by (Secretario, por) *Shahary*



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.