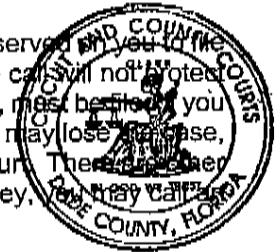


IN THE CIRCUIT OF THE ELEVENTH JUDICIAL CIRCUIT IN AND FOR MIAMI-DADE COUNTY, FLORIDA		
FAMILY DIVISION	FAMILY ACTION SUMMONS Personal Service on Natural Person	CASE NUMBER 08-16475 FC 16
CYNTHIA A. RODRIGUEZ Petitioner	ALEXANDER E. RODRIGUEZ vs. Respondent	CLOCK IN
To: ALEXANDER E. RODRIGUEZ	Address:	

IMPORTANT

A lawsuit has been filed against you. You have 20 calendar days after this summons is served on you to file a written response to the attached complaint/petition with the clerk of this circuit court. A phone call will not protect you. Your written response, including the case number given above and the names of the parties, must be filed if you want the court to hear your side of the case. If you do not file our written response on time, you may lose your case, and your wages, money and property may thereafter be taken without further warning from the court. There is other legal requirements. You may want to call an attorneys right away. If you do not know an attorney, you may call an attorney referral service or legal aid office (listed in the phone book).



If you chose to file a written response yourself, at the same time you file your written response to the court you must also mail or take a copy of written response to the person named below and file your response to the Court, located at **Courthouse Center, Clerk of Courts, 175 N.W. 1st Avenue, Miami, Florida, 33128.**

WARNING: Rule 12.285, Florida Family Law Rules of Procedure, requires that you provide to the other party in this lawsuit access to or copies of certain documents and information. Failure to do this can result in the court taking action against you, including dismissal (throwing out your case) or striking of pleadings (throwing out part of your case).

Petitioner's Attorneys: Maurice Jay Kutner, Esquire Florida Bar No. 44775 Earle S. Lilly, Esquire Texas Bar No. 12356000	Address: Kutner and Associates 11th Floor - Courthouse Tower 44 West Flagler Street Miami, Florida 33130-1808
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TO EACH STATE SHERIFF OF THE STATE OF FLORIDA: You are commanded to service this Summons and a copy of the Petition of the above named Respondent.

HARVEY RUVIN CLERK OF COURTS	By: <i>[Signature]</i> DEPUTY CLERK	JUL 07 2008 Date
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AMERICAN DISABILITIES ACT

In accordance with the Americans With Disabilities Act of 1990, persons needing special accommodation to participate in this proceeding should contact the Court ADA Coordinator, Reuben Carrerou, no later than 7 days prior to the proceeding at (305) 375-2006 (voice), or (305) 375-2007 (TDD).

*Earle S. Lilly will appear as counsel for the Petitioner-Wife on a pro hac vice basis. His office address is 4544 Post Oak Place - Suite 380, Houston, Texas 77027.

IN THE CIRCUIT COURT OF THE 11TH JUDICIAL CIRCUIT IN AND FOR MIAMI-DADE COUNTY, FLORIDA

FAMILY DIVISION

CASE NO.

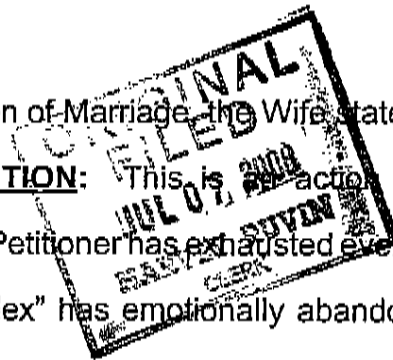
08-16475 FC 16

IN RE: THE MARRIAGE OF *
CYNTHIA A. RODRIGUEZ, *
Petitioner-Wife, *
and *
ALEXANDER E. RODRIGUEZ, *
Respondent-Husband. *

PETITION FOR DISSOLUTION OF MARRIAGE

For her Petition for Dissolution of Marriage, the Wife states:

1. **ACTION FOR DISSOLUTION:** This is an action for dissolution of marriage, which is being filed only after the Petitioner has exhausted every effort to salvage the marriage of the parties. However, "Alex" has emotionally abandoned his wife and children and has left her with no choice but to divorce him.
2. **JURISDICTION:** The Court has jurisdiction over the parties and subject matter of this action.
3. **RESIDENCY:** Both parties have been residents of the State of Florida for more than six months prior to the filing date of this petition.
4. **MARRIAGE:** The parties were married to each other on November 2, 2002, in Dallas, Texas.
5. **IRRETRIEVABLY BROKEN:** The marriage of the parties is irretrievably broken because of the Husband's extra marital affairs and other marital misconduct.



[Rodriguez v. Rodriguez, Petition for Dissolution of Marriage]

6. **CHILDREN**: There are two children born of this marriage: Natasha A. Rodriguez, D/O/B: November 18, 2004 and Ella A. Rodriguez, D/O/B: April 21, 2008.

7. **SHARED PARENTAL RESPONSIBILITY**: The Husband and Wife should share parental responsibility of the children.

8. **RESIDENTIAL PARENT**: The Wife desires and it is in the children's best interest that she be the primary residential parent of the minor children, *pendente lite* and permanently.

9. **CHILD SUPPORT**: The children need temporary and permanent support from the Husband, and the Husband has the ability to pay. The lifestyle and background of the parties and the children is such that the Husband should provide life insurance, health insurance, private school; and, continue to maintain the existing lifestyle of the children.

10. **STANDARD OF LIVING**: The Husband is a prominent athlete and has, due to his substantial earning power, provided the parties and their children with a lavish lifestyle. The Husband has provided his family with a residence that is compatible with his great wealth and high standard of living. The Husband has the fiscal capacity to continue his high style of living, but the Wife does not.

11. **ALIMONY**: The Wife needs and is entitled to temporary, rehabilitative, permanent, periodic and lump sum alimony, and the Husband is well able to pay all forms of alimony.

12. **MARITAL RESIDENCE AND CONTENTS AS LUMP SUM ALIMONY**: The parties jointly own, as their former marital home, the real property located at 181 East

[Rodriguez v. Rodriguez, Petition for Dissolution of Marriage]

Sunrise Avenue, Coral Gables, Florida 33133. The Wife is entitled to receive, the marital home and contents, as lump sum alimony and partial equitable distribution.

13. **EXCLUSIVE POSSESSION:** The Wife is entitled to continuing temporary and permanent exclusive possession of the marital residence, to provide a home for herself and the minor children.

14. **EQUITABLE DISTRIBUTION:** The Wife claims and is entitled to an equitable distribution of all assets acquired during the marriage, pursuant to **Section 61.075, Florida Statutes.**

15. **AUTOMOBILE FOR THE WIFE:** The Wife needs and is entitled to possession and title to the automobile she is presently driving.

16. **PERSONAL PROPERTY:** The Wife is in need of and entitled to exclusive possession of and title to the real and personal property now in her possession. This includes the personal property contained in the marital residence.

17. **LIFE AND MEDICAL INSURANCE:** The Husband has and is maintaining life and medical insurance for the benefit of the Wife and minor children. He should be required to continue to maintain that or comparable insurance.

18. **DEBTS:** The parties have incurred certain debts, which the Husband should be required to discharge.

19. **ATTORNEYS' FEES, SUIT MONIES, AND COSTS:** The Wife has obligated herself to pay reasonable attorneys' fees, suit monies, and costs to her attorneys and other professionals in this action and asks for a judgment against the Husband for a sum considered to be a reasonable fee for those services, based upon her need and his ability to pay.

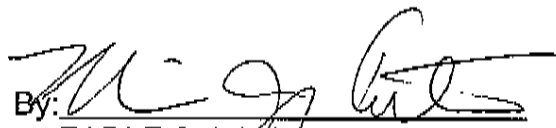
[Rodriguez v. Rodriguez, Petition for Dissolution of Marriage]

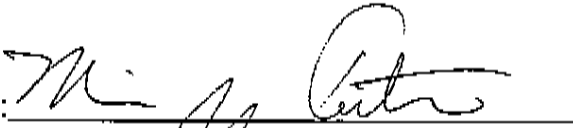
20. **ANTENUPTIAL AGREEMENT:** On October 3, 2002, the parties executed a "document" titled "Antenuptial Agreement."¹ A determination as to the validity or enforceability of the agreement requires additional investigation and discovery.

WHEREFORE, it is requested that the Court grant relief consistent with this Petition for Dissolution of Marriage.

LILLY LAW OFFICE²
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Houston, Texas 77027
Phone: (713) 966-4444
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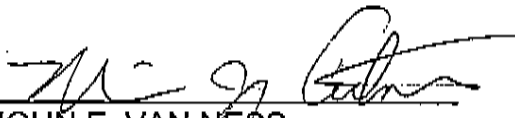
KUTNER AND ASSOCIATES
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44 West Flagler Street
Miami, Florida 33130-1808
Phone: (305) 377-9411
Fax: (305) 377-4758


for By: 
EARLE S. LILLY
Texas Bar No.: 12356000

By: 
MAURICE JAY KUTNER
Florida Bar No.: 44775

and

and

for By: 
JOHN E. VAN NESS
Texas Bar No.: 00792890

for By: 
ANTHONY P. SABATINO
Florida Bar No.: 185809

/lad

¹The Agreement has deliberately not been attached.

²The appearance of attorneys Lilly and Van Ness is subject to the Court granting the Motion to Appear Pro Hac Vice, which is being filed simultaneously with this Petition for Dissolution of Marriage.