

ATTORNEY FOR PARTY WITHOUT ATTORNEY (Name, State, Number, and address):

FOR COURT USE ONLY

JUDY BOGEN, ESQ.

SBN 100332

HERSH, MANNIS & BOGEN, LLP
9150 WILSHIRE BLVD., SUITE 209
BEVERLY HILLS, CA 90212

TELEPHONE NO.: 310-786-1910

FAX NO. (Optional): 310-786-1917

E-MAIL ADDRESS (Optional):

ATTORNEY FOR (Name): RESPONDENT, FAYE GRANT

SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES

STREET ADDRESS: 6230 SYLMAR AVE.

MAILING ADDRESS: 6230 SYLMAR AVE.

CITY AND ZIP CODE: VAN NUYS, CA 91401

BRANCH NAME: NORTHWEST DISTRICT

MARRIAGE OF

PETITIONER: STEPHEN COLLINS

RESPONDENT: FAYE GRANT

RESPONSE ☒ and REQUEST FOR☒ Dissolution of Marriage☐ Legal Separation☐ Nullity of Marriage☐ AMENDED

CASE NUMBER:

100332

FILED
LOS ANGELES SUPERIOR COURT
MAY 30 2012
John A. Clarke, Clerk
By Kim Garrison, Deputy

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 the *Petition for Dissolution of Marriage*.

2. STATISTICAL FACTS

a. Date of marriage: 4/21/85

c. Time from date of marriage to date of separation (specify):

b. Date of separation: 2/1/12

Years: 26 Months: 10

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 nameBirthdateAgeSex☐ 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

Respondent requests that the assets and debts listed ☐ in *Property Declaration* (form FL-160)☐ in Attachment 4☒ below be confirmed as separate property.ItemConfirm to

Respondent is unaware of the exact nature and extent of the parties' separate property assets and debts and will seek leave of the court to amend this Response when same has been more fully ascertained.

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.

MARRIAGE OF (last name, first name of parties):
COLLINS AND GRANT, STEPHEN AND FAYE

CASE NUMBER:
LD062214

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):

Respondent is unaware of the exact nature and extent of the parties' community and quasi-community property assets and debts and will seek leave of the court to amend this Response when same has been more fully ascertained.

6. ☐ Respondent contends that the parties were never legally married.

7. ☐ Respondent denies the grounds set forth in Item 6 of the petition.

8. Respondent 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) ☐ respondent'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).)

9. Respondent 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 type="checkbox"/> |
| b. Physical custody of children to | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| c. Child visitation be granted to | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| As requested in form: <input type="checkbox"/> FL-311 <input type="checkbox"/> FL-312 <input type="checkbox"/> FL-341(C) <input type="checkbox"/> FL-341(D) <input type="checkbox"/> FL-341(E) <input type="checkbox"/> Attachment 9c. | | | | |
| d. <input type="checkbox"/> Determination of parentage of any children born to the Petitioner and Respondent prior to the marriage. | | | | |
| e. Attorney fees and costs payable by | <input checked="" type="checkbox"/> | <input type="checkbox"/> | | |
| f. Spousal support payable to (wage assignment will be issued) | <input type="checkbox"/> | <input checked="" type="checkbox"/> | | |
| g. <input checked="" type="checkbox"/> Terminate the court's jurisdiction (ability) to award spousal support to Petitioner. | | | | |
| h. <input checked="" type="checkbox"/> Property rights be determined. | | | | |
| i. <input type="checkbox"/> Respondent's former name be restored to (specify): | | | | |
| j. <input checked="" type="checkbox"/> Other (specify): | | | | |

☒ Continued on Attachment 9f.

10. 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.

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

Date: May 25, 2012

FAYE GRANT
(TYPE OR PRINT NAME)

Date: May 25, 2012

JUDY ROSEN, ESO
(TYPE OR PRINT NAME)

(SIGNATURE OF RESPONDENT)

(SIGNATURE OF ATTORNEY FOR RESPONDENT)

The original response must be filed in the court with proof of service of a copy on Petitioner.

ATTACHMENT 9j

Pursuant to Code of Civil Procedure, Section 632, and California Rules of Court, Rule 3.1590, Respondent hereby requests a Statement of Decision with respect to any contested issue submitted to the Court for determination in the within proceeding. Respondent specifically requests that, with respect to any issue submitted to the Court for determination, the Court include in the Statement of Decision any and all calculations upon which the determination of any issue was made, including, but not limited to, issues of spousal support, property valuation, property division, tax consequences and attorneys' fees.

HERSH, MANNIS & BOGEN, L.L.P.
9150 Wilshire Boulevard, Suite 209
Beverly Hills, California 90212-3429
Phone: (310) 786-1910 Fax: (310) 786-1917

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address):

Mark Vincent Kaplan (SBN 58836)
KAPLAN & SIMON, L.L.P.
2049 Century Park East, Ste 2660
Los Angeles, CA 90067

TELEPHONE NO.: (310) 277-9009

FAX NO. (Optional):

E-MAIL ADDRESS (Optional):

ATTORNEY FOR (Name): S. COLLINS

SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES

STREET ADDRESS: 6230 Sylmar Ave.

MAILING ADDRESS:

CITY AND ZIP CODE: Van Nuys, CA 91401

BRANCH NAME: Northwest District

MARRIAGE OF

PETITIONER: S. COLLINS

RESPONDENT: F. GRANT

PETITION FOR

- ☒ Dissolution of Marriage
☐ Legal Separation
☐ Nullify of Marriage

☐ AMENDED

FOR COURT USE ONLY

FILED

MAY 04 2012

JOHN A. CLARKE, CLERK
BY N. WHITRIGHT, DEPUTY

CASE NUMBER:

LDJ62214

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: 4/21/85

c. Time from date of marriage to date of separation (specify):

b. Date of separation: 2/1/12

Years: 26

Months: 10

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

☐ 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 4

☒ below be confirmed as separate property.

Item

Confirm to

The exact nature and extent of the separate property assets and obligations of the parties are uncertain at this time and shall be set forth in Petitioner's Schedule of Assets and Debts.

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.

MARRIAGE OF (last name, first name of parties):
Marriage of Collins and Grant

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):

The nature and extent of the community and quasi-community assets and obligations of the parties are uncertain at this time and shall be set forth in Petitioner's Schedule of Assets and Debts.

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 type="checkbox"/> |
| b. Physical custody of children to | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| c. Child visitation be granted to | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| As requested in form: <input type="checkbox"/> FL-311 <input type="checkbox"/> FL-312 <input type="checkbox"/> FL-341(C) <input type="checkbox"/> FL-341(D) <input type="checkbox"/> FL-341(E) <input type="checkbox"/> Attachment 7c. | | | | |
| d. <input type="checkbox"/> Determination of parentage of any children born to the Petitioner and Respondent prior to the marriage. | | | | |
| e. Attorney fees and costs payable by | <input type="checkbox"/> | <input checked="" type="checkbox"/> | | |
| f. Spousal support payable to (earnings assignment will be issued) | <input type="checkbox"/> | <input type="checkbox"/> | | |
| g. <input checked="" type="checkbox"/> Terminate the court's jurisdiction (ability) to award spousal support to Respondent. | | | | |
| h. <input checked="" type="checkbox"/> Property rights be determined. | | | | |
| i. <input type="checkbox"/> Petitioner's former name be restored to (specify): | | | | |
| j. <input type="checkbox"/> 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: May 4, 2012

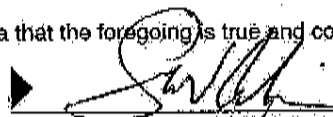
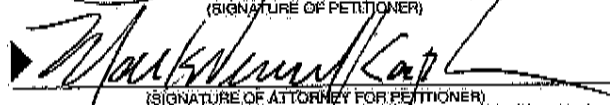
S. COLLINS

(TYPE OR PRINT NAME)

Date: May 4, 2012

MARK VINCENT KAPLAN

(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).

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address):

Stephanie I. Blum, CFLS [SBN: 174099]

REUBEN RAUCHER & BLUM

10940 Wilshire Blvd.

18th Floor

Los Angeles, CA 90024

TELEPHONE NO.: 310.777.1990

FAX NO. (Optional): 310.777.1989

E-MAIL ADDRESS (Optional): sib@rrbattorneys.com

ATTORNEY FOR (Name): Respondent, Faye Grant

FOR COURT USE ONLY

FILED

Superior Court of California
County of Los Angeles

NOV 25 2013

Shari R. Carter, Executive Officer/Clerk

By: Glenda Molina Deputy
Glenda Molina

SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES

STREET ADDRESS: 6230 Sylmar Avenue

MAILING ADDRESS: Same

CITY AND ZIP CODE: Van Nuys, California

BRANCH NAME: Northwest District

PETITIONER/PLAINTIFF: Stephen Collins

RESPONDENT/DEFENDANT: Faye Grant

OTHER PARENT/PARTY:

REQUEST FOR ORDER

☐ Child Custody☐ Child Support☐ Attorney Fees and Costs☐ MODIFICATION☐ Visitation☐ Spousal Support

Bifurcation and early trial

☐ Temporary Emergency
Court Order☒ Other (specify):

CASE NUMBER:

LD 062 214

1. TO (name): Petitioner Stephen Collins and his attorney of record

2. A hearing on this Request for Order will be held as follows: If child custody or visitation is an issue in this proceeding, Family Code section 3170 requires mediation before or at the same time as the hearing (see item 7.)

a. Date: 2/25/14 Time: 8:30 a.m.☒ Dept: K☐ Room:b. Address of court ☒ same as noted above ☐ other (specify):

3. Attachments to be served with this Request for Order:

a. A blank Responsive Declaration (form FL-320)

b. ☐ Completed Income and Expense Declaration (form FL-150) and a blank Income and Expense Declarationc. ☐ Completed Financial Statement (Simplified) (form FL-155) and a blank Financial Statement (Simplified)d. ☒ Points and authoritiese. ☒ Other (specify): Dec. of Faye GrantDate: November 25, 2013

Stephanie I. Blum, Esq.

(TYPE OR PRINT NAME)

(SIGNATURE)

☐ COURT ORDER4. ☐ YOU ARE ORDERED TO APPEAR IN COURT AT THE DATE AND TIME LISTED IN ITEM 2 TO GIVE ANY LEGAL REASON WHY THE ORDERS REQUESTED SHOULD NOT BE GRANTED.5. ☐ Time for ☐ service ☐ hearing is shortened. Service must be on or before (date):

6. Any responsive declaration must be served on or before (date):

7. The parties are ordered to attend mandatory custody services as follows:

8. ☐ You are ordered to comply with the Temporary Emergency Court Orders (form FL-305) attached.9. ☐ Other (specify):

Date:

JUDICIAL OFFICER

To the person who received this Request for Order: If you wish to respond to this Request for Order, you must file a Responsive Declaration to Request for Order (form FL-320) and serve a copy on the other parties at least nine court days before the hearing date unless the court has ordered a shorter period of time. You do not have to pay a filing fee to file the Responsive Declaration to Request for Order (form FL-320) or any other declaration including an Income and Expense Declaration (form FL-150) or Financial Statement (Simplified) (form FL-155).

PETITIONER/PLAINTIFF: Stephen Collins	CASE NUMBER:
RESPONDENT/DEFENDANT: Faye Grant	LD 062 214
OTHER PARENT/PARTY:	

REQUEST FOR ORDER AND SUPPORTING DECLARATION

☐ Petitioner ☒ Respondent ☐ Other Parent/Party requests the following orders:

1. ☐ CHILD CUSTODY☐ To be ordered pending the hearinga. Child's name and age

b. Legal custody to (name of person who makes decisions about health, education, etc.)

c. Physical custody to (name of person with whom child will live)

d. ☐ As requested in form☐ Child Custody and Visitation Application Attachment (form FL-311)☐ Request for Child Abduction Prevention Orders (form FL-312)☐ Children's Holiday Schedule Attachment (form FL-341(C))☐ Additional Provisions—Physical Custody Attachment (form FL-341(D))☐ Joint Legal Custody Attachment (form FL-341(E))☐ Other (Attachment 1d)e. ☐ Modify existing order

(1) filed on (date):

(2) ordering (specify):

2. ☐ CHILD VISITATION (PARENTING TIME)☐ To be ordered pending the hearinga. As requested in: (1) ☐ Attachment 2a (2) ☐ Child Custody and Visitation Application Attachment (form FL-311)
(3) ☐ Other (specify):b. ☐ Modify existing order

(1) filed on (date):

(2) ordering (specify):

c. ☐ 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):(1) ☐ Criminal: County/state:
Case No. (if known):(3) ☐ Juvenile: County/state:
Case No. (if known):(2) ☐ Family: County/state:
Case No. (if known):(4) ☐ Other: County/state:
Case No. (if known):3. ☐ CHILD SUPPORT (An earnings assignment order may be issued.)a. Child's name and ageb. ☐ I request support based on the child support guidelinesc. Monthly amount requested (if not by guideline)
\$d. ☐ Modify existing order

(1) filed on (date):

(2) ordering (specify):

Notice: The court is required to order child support based on the income of both parents. It normally continues until the child is 18. You must supply the court with information about your finances by filing an *Income and Expense Declaration* (form FL-150) or a *Financial Statement (Simplified)* (form FL-155). Otherwise, the child support order will be based on information about your income that the court receives from other sources, including the other parent.

PETITIONER/PLAINTIFF: Stephen Collins	CASE NUMBER
RESPONDENT/DEFENDANT: Faye Grant	LD 062 214
OTHER PARENT/PARTY:	

4. ☐ SPOUSAL OR PARTNER SUPPORT (An earnings assignment order may be issued.)
- a. ☐ Amount requested (monthly): \$
- b. ☐ Terminate existing order
- (1) filed on (date):
- (2) ordering (specify):
- c. ☐ Modify existing order
- (1) filed on (date):
- (2) ordering (specify):
- d. ☐ The Spousal or Partner Support Declaration Attachment (form FL-157) is attached (for modification of spousal or partner support after judgment only)
- e. An Income and Expense Declaration (form FL-150) must be attached
5. ☐ ATTORNEY FEES AND COSTS are requested on Request for Attorney Fees and Costs Order Attachment (form FL-319) or a declaration that addresses the factors covered in that form. An Income and Expense Declaration (form FL-150) must be attached. A Supporting Declaration for Attorney Fees and Costs Order Attachment (form FL-158) or a declaration that addresses the factors covered in that form must also be attached.
6. ☐ PROPERTY RESTRAINT ☐ To be ordered pending the hearing
- a. The ☐ petitioner ☐ respondent ☐ claimant is restrained from transferring, encumbering, hypothecating, concealing, or in any way disposing of any property, real or personal, whether community, quasi-community, or separate, except in the usual course of business or for the necessities of life.
- ☐ The applicant will be notified at least five business days before any proposed extraordinary expenditures, and an accounting of such will be made to the court.
- b. ☐ Both parties are restrained and enjoined from 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 or their minor children.
- c. ☐ Neither party may incur any debts or liabilities for which the other may be held responsible, other than in the ordinary course of business or for the necessities of life.
7. ☐ PROPERTY CONTROL ☐ To be ordered pending the hearing
- a. ☐ The petitioner ☐ respondent is given the exclusive temporary use, possession, and control of the following property that we own or are buying (specify):
- b. ☐ The petitioner ☐ respondent is ordered to make the following payments on liens and encumbrances coming due while the order is in effect:
- | <u>Debt</u> | <u>Amount of payment</u> | <u>Pay to</u> |
|-------------|--------------------------|---------------|
| | | |
8. ☒ OTHER RELIEF (specify):
- That the Court order the issue of Petitioner's liability for personal conduct bifurcated and set for an early and separate trial.

NOTE: To obtain domestic violence restraining orders, you must use the forms Request for Order (Domestic Violence Prevention) (form DV-100), Temporary Restraining Order (Domestic Violence) (form DV-110), and Notice of Court Hearing (Domestic Violence) (form DV-109).

PETITIONER/PLAINTIFF: Stephen Collins	CASE NUMBER:
RESPONDENT/DEFENDANT: Faye Grant	LD 062 214
OTHER PARENT/PARTY:	

9. ☐ I request that time for service of the Request for Order and accompanying papers be shortened so that these documents may be served no less than (specify number): _____ days before the time set for the hearing. I need to have this order shortening time because of the facts specified in item 10 or the attached declaration.
10. ☒ FACTS IN SUPPORT of orders requested and change of circumstances for any modification are (specify):
☒ Contained in the attached declaration. (You may use Attached Declaration (form MC-031) for this purpose. The attached declaration must not exceed 10 pages in length unless permission to file a longer declaration has been obtained from the court.)

Memorandum of Points and Authorities

Declaration of Faye Grant

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

Date: November _____, 2013

Faye Grant

(TYPE OR PRINT NAME)

[Signature on attached declaration]

(SIGNATURE OF APPLICANT)



Requests for Accommodations

Assistive listening systems, computer-assisted real-time captioning, or sign language interpreter services are available if you ask at least five days before the proceeding. Contact the clerk's office or go to www.courts.ca.gov/forms for Request for Accommodations by Persons With Disabilities and Response (form MC-410). (Civil Code, § 54.8.)

MEMORANDUM OF POINTS & AUTHORITIES

dissolution proceedings, the issue of Stephen's liability should be bifurcated.

Additionally, the parties' attempts at settlement have, thus far, proved unsuccessful. It is appropriate for the Court to bifurcate an issue if the resolution of that issue is likely facilitate settlement of all other issues. See Marriage of Wolfe (1985) 173 Cal.App.3d 889, 893; Marriage of Bergman (1985) 168 Cal.App.3d 742, 755-756 ("Quite often there are cases with a pivotal issue which, once it is decided, will enable the parties to settle all other issues In such cases the court is encouraged to separately try and decide the pivotal issue in hope the parties will then be able to settle all other issues"). The parties have been separated for 20 months, but are not yet close to finalizing their dissolution proceedings. Resolution of the issue of Stephen's liability would, again, allow the parties to focus on their remaining issues and hopefully reach a global settlement. Faye therefore requests that said issue be bifurcated and set for early trial.

III.

STEPHEN SHOULD BE FOUND SOLELY LIABLE FOR HIS TORTIOUS CONDUCT

As a matter of equity, Stephen should be held solely liable for his tortious conduct to the extent that it damages Faye. In analogous situations, the court has found that an innocent spouse should not be held liable for a financial loss incurred as a result of the other spouse's contractual obligation, tort liability, or criminal penalty. Marriage of Stitt (1983) 147 Cal.App.3d 579; Marriage of Beltran (1986) 183 Cal.App.3d 292. The Court may properly allocate liability that is merely a possibility and not yet definite, i.e. where the underlying action has not yet been adjudicated. See Marriage of Feldner (1995) 40 Cal.App.4th 617, 620 (trial court allocated the potential liability for lawsuit filed against Husband that was still pending).

In Stitt, Wife was convicted of embezzlement, and incurred attorney's fees in connection with both her criminal and civil defense. 147 Cal.App.3d at 582. The trial court held that the debt to the attorneys was solely Wife's responsibility, despite the fact that they were incurred during the marriage. Id. at 583. The appellate court affirmed, noting that "the mere fact of marriage should not change the usual rules of personal responsibility for the consequences of criminal or tortious behavior," and that, "No principle of law required the innocent spouse to share the loss created by the other party." Id. at 588. A later case clarified that the Stitt holding is confined to **intentionally**

1 tortious or criminal conduct. Marriage of Hirsch (1989) 211 Cal.App.3d 104, 110. Hirsch does not
2 affect Faye's request, however, because there is no question that child molestation is intentionally
3 tortious and criminal. See Beltran, 183 Cal.App.3d 292 (discussed below); J.C. Penney Casualty Ins.
4 Co. v. M.K. (1991) 52 Cal.3d 1009, 1026 (the act of child molestation is necessarily intended to
5 harm); Feldner, 40 Cal.App.4th at 625, fn.7 (comparing Beltran and J.C. Penney).

6 In Beltran, Husband was convicted of committing lewd and lascivious acts upon a child
7 under the age of 14; as a result, he was dismissed from the Army and stripped of all military benefits,
8 including pension and accrued leave. 183 Cal.App.3d at 294. The trial court charged Husband with
9 receipt of the forfeited military pension and accrued leave, and ordered that Husband pay to Wife
10 one-half of said military benefits as an equalization of the community estate. Id. This order was
11 affirmed, as the Beltran court concluded "as a matter of equity that criminal conduct on the part of
12 husband which directly caused forfeiture of pension benefits justified the trial court's conclusion that
13 wife was entitled to reimbursement for her share of such lost community property." Id. at 295.

14 Much like the aggrieved spouses in Stitt and Beltran, Faye should not be forced to share in
15 any loss that arises from Stephen's criminal and tortious conduct as a matter of equity. Faye had no
16 knowledge of Stephen's secret life prior to January 2012, yet is still at risk of suffering damages as
17 a result. For those reasons, the Court should find that Stephen alone should bear the responsibility
18 of his conduct, and indemnify, pay, and hold Faye harmless as a result.

19 IV.

20 CONCLUSION

21 For the foregoing reasons, Faye respectfully requests that the Court grant her Motion for
22 Bifurcation.

23 DATED: November 25, 2013

REUBEN BAUCHER & BLUM

25 By: 

26 Stephanie I. Blum
27 Attorneys for Respondent Faye Grant
28

DECLARATION OF FAYE GRANT

1 coping with the trauma of learning about Stephen's illness and worrying about my moral and legal
2 responsibility. I have urged Stephen multiple times to seek proper treatment for pedophilia. I am
3 particularly afraid of what may happen if he does not seek treatment, because he may be working or
4 interacting with children in connection with his employment. I know that he has used a 12-step
5 model for sex addiction, and that he was also seeing a "sexual dysfunction" therapist. However, he
6 has refused to seek proper help or hospitalization for his predilection towards children. He has
7 insisted that my concerns are unfounded.

8 5. I am also afraid of the potential consequences that Stephen's behavior may have for
9 me, including risking my reputation and livelihood. I also fear that I may potentially face civil (or
10 even criminal) liability for Stephen's actions. In December 2012, I received two letters from a man
11 who identified himself as the husband of one of Stephen's three aforementioned victims. He berated
12 me for my cowardice in not turning Stephen in to the police. He then called me on the phone and
13 threatened to bring a civil lawsuit against me for Stephen's assaults. Again, I do not know how
14 many more victims there may be, and whether they may also be considering filing suit.

15 6. In order to protect myself from being unfairly damaged by Stephen's conduct, I
16 request that the Court bifurcate the issue of Stephen's liability. I ask that the Court allocate to
17 Stephen the potential liability for any and all damages in connection with Stephen's sexual assaults
18 or other sexual abuse, known or unknown, and order that Stephen shall save, indemnify, pay, and
19 hold me harmless in connection with any and all claims, demands, debts, liabilities, liens, charges,
20 losses, obligations, promises, acts, agreements, representations, costs, expenses (including, without
21 limitation, attorneys' fees), damages, suits, actions and causes of action (in law, equity or otherwise)
22 of whatever kind or nature that arise from his aforementioned conduct.

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7. I did not file a motion to bifurcate sooner because I did not realize that it would take so long for my marriage to Stephen to be dissolved. I thought that I would be divorced by now and not financially liable for Stephen's wrongdoings, but Stephen has delayed the resolution of this matter.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed November __, 2013 at _____, California.

SIGNATURE
BY FAX

FAYE GRANT, Respondent

7. I did not file a motion to bifurcate sooner because I did not realize that it would take so long for my marriage to Stephen to be dissolved. I thought that I would be divorced by now and not financially liable for Stephen's wrongdoings, but Stephen has delayed the resolution of this matter.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed November 25, 2013 at Ojai, California.

FAYE GRANT Respondent

FOR COURT USE ONLY

FILED
Superior Court of California
County of Los Angeles

OCT 15 2013

Sherril R. Carter, Executive Officer/Clerk
By Sandra Berrano Deputy

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address):

Stephanie I. Blum, CFLS [SBN: 174099]

REUBEN RAUCHER & BLUM

10940 Wilshire Blvd.

18th Floor

Los Angeles, CA 90024

TELEPHONE NO.: 310.777.1990 FAX NO. (Optional): 310.777.1989

E-MAIL ADDRESS (Optional): sib@rrbattorneys.com

ATTORNEY FOR (Name): Respondent, Faye Grant

SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES

STREET ADDRESS: 6230 Sylmar Avenue

MAILING ADDRESS: Same

CITY AND ZIP CODE: Van Nuys, California

BRANCH NAME: Northwest District

PETITIONER/PLAINTIFF: Stephen Collins

RESPONDENT/DEFENDANT: Faye Grant

OTHER PARENT/PARTY:

REQUEST FOR ORDER

☐ Child Custody☐ Child Support☒ Attorney Fees and Costs☐ MODIFICATION☐ Visitation☒ Spousal Support

See Attachment 8

☐ Temporary Emergency
Court Order☒ Other (specify):

CASE NUMBER:

LD 062 214

1. TO (name): Petitioner Stephen Collins and his attorney of record

2. A hearing on this Request for Order will be held as follows: If child custody or visitation is an issue in this proceeding, Family Code section 3170 requires mediation before or at the same time as the hearing (see item 7.)

a. Date: 2-3-14 Time: 8:30 a.m.☒ Dept.: K☐ Room:b. Address of court ☒ same as noted above ☐ other (specify):

3. Attachments to be served with this Request for Order:

a. A blank Responsive Declaration (form FL-320)

b. ☒ Completed Income and Expense Declaration (form FL-150) and a blank Income and Expense Declarationc. ☐ Completed Financial Statement (Simplified) (form FL-155) and a blank Financial Statement (Simplified)d. ☐ Points and authoritiese. ☒ Other (specify): Dec. of Faye Grant;
Dec. of Stephanie I. Blum

Date: October 14, 2013

Stephanie I. Blum, Esq.

(TYPE OR PRINT NAME)

(SIGNATURE)

☐ COURT ORDER4. ☐ YOU ARE ORDERED TO APPEAR IN COURT AT THE DATE AND TIME LISTED IN ITEM 2 TO GIVE ANY LEGAL REASON WHY THE ORDERS REQUESTED SHOULD NOT BE GRANTED.5. ☐ Time for ☐ service ☐ hearing is shortened. Service must be on or before (date):

6. Any responsive declaration must be served on or before (date):

7. The parties are ordered to attend mandatory custody services as follows:

8. ☐ You are ordered to comply with the Temporary Emergency Court Orders (form FL-305) attached.9. ☐ Other (specify):

Date:

JUDICIAL OFFICER

To the person who received this Request for Order: If you wish to respond to this Request for Order, you must file a Responsive Declaration to Request for Order (form FL-320) and serve a copy on the other parties at least nine court days before the hearing date unless the court has ordered a shorter period of time. You do not have to pay a filing fee to file the Responsive Declaration to Request for Order (form FL-320) or any other declaration including an Income and Expense Declaration (form FL-150) or Financial Statement (Simplified) (form FL-155).

PETITIONER/PLAINTIFF: Stephen Collins	CASE NUMBER:
RESPONDENT/DEFENDANT: Faye Grant	LD 062 214
OTHER PARENT/PARTY:	

REQUEST FOR ORDER AND SUPPORTING DECLARATION

☐ Petitioner ☒ Respondent ☐ Other Parent/Party requests the following orders:

1. ☐ CHILD CUSTODY☐ To be ordered pending the hearinga. Child's name and ageb. Legal custody to (name of person who
makes decisions about health, education, etc.)c. Physical custody to (name of
person with whom child will live)d. ☐ As requested in form☐ Child Custody and Visitation Application Attachment (form FL-311)☐ Request for Child Abduction Prevention Orders (form FL-312)☐ Children's Holiday Schedule Attachment (form FL-341(C))☐ Additional Provisions—Physical Custody Attachment (form FL-341(D))☐ Joint Legal Custody Attachment (form FL-341(E))☐ Other (Attachment 1d)e. ☐ Modify existing order

(1) filed on (date):

(2) ordering (specify):

2. ☐ CHILD VISITATION (PARENTING TIME)☐ To be ordered pending the hearinga. As requested in: (1) ☐ Attachment 2a (2) ☐ Child Custody and Visitation Application Attachment (form FL-311)
(3) ☐ Other (specify):b. ☐ Modify existing order

(1) filed on (date):

(2) ordering (specify):

c. ☐ 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):(1) ☐ Criminal: County/state:
Case No. (if known):(3) ☐ Juvenile: County/state:
Case No. (if known):(2) ☐ Family: County/state:
Case No. (if known):(4) ☐ Other: County/state:
Case No. (if known):3. ☐ CHILD SUPPORT (An earnings assignment order may be issued.)a. Child's name and ageb. ☐ I request support based on the
child support guidelinesc. Monthly amount requested (if not by guideline)
\$d. ☐ Modify existing order

(1) filed on (date):

(2) ordering (specify):

Notice: The court is required to order child support based on the income of both parents. It normally continues until the child is 18. You must supply the court with information about your finances by filing an *Income and Expense Declaration* (form FL-150) or a *Financial Statement (Simplified)* (form FL-155). Otherwise, the child support order will be based on information about your income that the court receives from other sources, including the other parent.

PETITIONER/PLAINTIFF: Stephen Collins	CASE NUMBER:
RESPONDENT/DEFENDANT: Faye Grant	LD 062 214
OTHER PARENT/PARTY:	

4. ☒ SPOUSAL OR PARTNER SUPPORT (*An earnings assignment order may be issued.*)
- a. ☒ Amount requested (*monthly*): \$ Guideline
- b. ☐ Terminate existing order
- (1) filed on (*date*):
- (2) ordering (*specify*):
- c. ☐ Modify existing order
- (1) filed on (*date*):
- (2) ordering (*specify*):
- d. ☐ The Spousal or Partner Support Declaration Attachment (form FL-157) is attached (*for modification of spousal or partner support after judgment only*)
- e. An Income and Expense Declaration (form FL-150) must be attached
5. ☒ ATTORNEY FEES AND COSTS are requested on Request for Attorney Fees and Costs Order Attachment (form FL-319) or a declaration that addresses the factors covered in that form. An Income and Expense Declaration (form FL-150) must be attached. A Supporting Declaration for Attorney Fees and Costs Order Attachment (form FL-158) or a declaration that addresses the factors covered in that form must also be attached. See attached declarations.
6. ☐ PROPERTY RESTRAINT ☐ To be ordered pending the hearing
- a. The ☐ petitioner ☐ respondent ☐ claimant is restrained from transferring, encumbering, hypothecating, concealing, or in any way disposing of any property, real or personal, whether community, quasi-community, or separate, except in the usual course of business or for the necessities of life.
- ☐ The applicant will be notified at least five business days before any proposed extraordinary expenditures, and an accounting of such will be made to the court.
- b. ☐ Both parties are restrained and enjoined from 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 or their minor children.
- c. ☐ Neither party may incur any debts or liabilities for which the other may be held responsible, other than in the ordinary course of business or for the necessities of life.
7. ☐ PROPERTY CONTROL ☐ To be ordered pending the hearing
- a. ☐ The petitioner ☐ respondent is given the exclusive temporary use, possession, and control of the following property that we own or are buying (*specify*):
- b. ☐ The petitioner ☐ respondent is ordered to make the following payments on liens and encumbrances coming due while the order is in effect:
- | <u>Debt</u> | <u>Amount of payment</u> | <u>Pay to</u> |
|-------------|--------------------------|---------------|
| | | |
8. ☒ OTHER RELIEF (*specify*):
- See Attachment 8

NOTE: To obtain domestic violence restraining orders, you must use the forms *Request for Order (Domestic Violence Prevention)* (form DV-100), *Temporary Restraining Order (Domestic Violence)* (form DV-110), and *Notice of Court Hearing (Domestic Violence)* (form DV-109).

PETITIONER/PLAINTIFF: Stephen Collins	CASE NUMBER:
RESPONDENT/DEFENDANT: Faye Grant	LD 062 214
OTHER PARENT/PARTY:	

9. ☐ I request that time for service of the Request for Order and accompanying papers be shortened so that these documents may be served no less than (specify number): _____ days before the time set for the hearing. I need to have this order shortening time because of the facts specified in item 10 or the attached declaration.
10. ☒ FACTS IN SUPPORT of orders requested and change of circumstances for any modification are (specify):
☒ Contained in the attached declaration. (You may use Attached Declaration (form MC-031) for this purpose. The attached declaration must not exceed 10 pages in length unless permission to file a longer declaration has been obtained from the court.)

Declaration of Faye Grant

Declaration of Stephanie I. Blum, Esq.

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

Date: October ____, 2013

Faye Grant

(TYPE OR PRINT NAME)

► [Signature on attached declaration]

(SIGNATURE OF APPLICANT)



Requests for Accommodations

Assistive listening systems, computer-assisted real-time captioning, or sign language interpreter services are available if you ask at least five days before the proceeding. Contact the clerk's office or go to www.courts.ca.gov/forms for Request for Accommodations by Persons With Disabilities and Response (form MC-410). (Civil Code, § 54.8.)

ATTACHMENT 8 TO RESPONDENT'S REQUEST FOR ORDER

Respondent respectfully requests the following orders:

1. That Petitioner Stephen Collins ("Stephen") be ordered to pay Respondent Faye Grant ("Faye") guideline pendente lite spousal support.
2. That Faye's one-half community interest in the parties' joint UBS accounts be transferred to a separate account under the control of a money manager of Faye's choosing.
3. That the parties' former family residences located at 12960 and 13000 Brentwood Terrace, Los Angeles, CA, be listed for sale and sold forthwith, or in the alternative, that Stephen be charged with the responsibility and costs related to maintain said properties.
4. That Stephen contribute to Faye's attorney's fees for this Request for Order in an amount no less than \$8,950, pursuant to Family Code §§ 2030 and 271.

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\$40,000 per episode (i.e. \$400,000 guaranteed, with the potential to earn \$880,000 for a full 22 episode season, and increase per-episode payments for additional seasons).

b. The television show *Devious Maids*, six episodes for a total of \$64,937

c. The television show *Falling Skies*

d. The television show *Scandal*, one episode for \$7,682

e. The television show *The Fosters*, one episode for \$5,500.

5. These amounts are in addition to the residuals and royalties that Stephen steadily receives. He is also receiving distributions from his SAG Pension Plan, although he is still working. Our joint business manager, Daniel Howard, provided me with a year-to-date (from January 1 through September 31, 2013) Profit and Loss statement for Giverny Enterprises, Inc., Stephen's flow-through entity for his earnings, reflecting a gross income for Stephen of \$338,717.53 for January 1 through September 31, 2013. The \$338,717.53 amount does not include Stephen's pension payments of \$5,962.50. Stephen only just started receiving payments for *Revolution* in September 2013. Mr. Howard also provided a Profit and Loss statement for Stephen's and my joint accounts, reflecting additional income for Stephen's residuals and royalties in the amount of \$5,666.31 for January 1 through September 31, 2013. I am not attaching the statements as an exhibit at this time, but I will gladly provide the Court with a copy if so requested.

6. I have been an actress for approximately 30 years, but I have not been able to find work for the past three years. I do not have a college degree. Although I am in fairly good health, I am 56 years old. As is typical for women my age in the entertainment industry, it has been very difficult for me to find roles, although I have searched for work and gone to auditions.

7. When we were first married, I was actually earning more than Stephen and was the main breadwinner. However, once our daughter was born (in 1989), I became a full time parent and significantly reduced my workload. Stephen was away most of the time working, and I felt that our daughter needed at least one parent around to raise her, not just a nanny. I forfeited most of my prime earning years in order to raise our daughter.

8. Stephen and I have been attempting to resolve our issues through multiple Voluntary

