

FL-100

FOR COURT USE ONLY

PS

**FILED**  
Superior Court of California  
County of Los Angeles

AUG 24 2009

John A. Clarke, Executive Officer/ Clerk

By M. Soto, Deputy  
MOSES SOTO

\*Case is assigned to Judge LEWIS  
Department 77

CASE NUMBER:

**BD511224**

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

NEAL RAYMOND HERSH, ESQ. (SBN 71194)  
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): EDDIE CIBRIAN

**SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES**

STREET ADDRESS: 111 NORTH HILL STREET  
MAILING ADDRESS: 111 NORTH HILL STREET  
CITY AND ZIP CODE: LOS ANGELES, CA 90012  
BRANCH NAME: CENTRAL

**MARRIAGE OF**

PETITIONER: EDDIE CIBRIAN

RESPONDENT: BRANDI CIBRIAN

**PETITION FOR**

- Dissolution of Marriage
- Legal Separation
- 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: 05/12/2001
- b. Date of separation: 03/15/2009

c. Time from date of marriage to date of separation (specify):  
Years: 7 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
MASON	06/02/2003	6	M
JAKE	04/15/2007	2	M

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  
There are various items of separate property assets and debts, the full nature and extent of which are unknown to Petitioner at this time, however, Petitioner will amend this *Petition* once same has been ascertained.

All earnings and accumulations acquired prior to marriage and subsequent date of separation.

**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.**

CITY/CASE: BIR 0229 LEA/DEF  
 REC'D PT #: 08/24/09 04:30 PM  
 DATE PAID: 08/24/09 04:30 PM  
 PAYMENT: 355.00  
 RECEIVED: 355.00  
 CHARGE CARD: 355.00  
 CASH: 355.00  
 CHANGE: 355.00

MARRIAGE OF (last name, first name of parties): Marriage of Cibrian	CASE 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):

There are various items of community and quasi-community assets and debts, the full nature and extent of which are unknown to Petitioner at this time, however, Petitioner will amend this Petition once same has been ascertained.

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 checked="" type="checkbox"/> | <input type="checkbox"/> |
| b. Physical custody of children to .....   | <input type="checkbox"/>            | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c. Child visitation be granted to . . . both parties pursuant to joint.(50/50) physical custody plan   | <input checked="" type="checkbox"/> | <input checked="" 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 Each party to pay their own....  | <input type="checkbox"/>            | <input type="checkbox"/>            |                                     |                          |
| f. Spousal support payable to (earnings assignment will be issued) .....   | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |                                     |                          |
| g. <input 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.

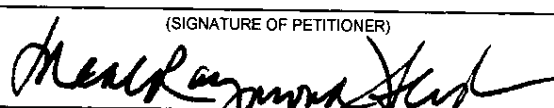
Date: August 24, 2009

EDDIE CIBRIAN \_\_\_\_\_  
(TYPE OR PRINT NAME)

Date: August 24, 2009

NEAL RAYMOND HERSH, ESQ. (SBN 71194) \_\_\_\_\_  
(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).

MARRIAGE OF (last name, first name of Petitioner):  
Marriage of Cibrian

CASE NUMBER:

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- 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 Each party to pay their own....
  - 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):

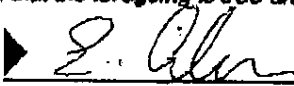
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(TYPE OR PRINT NAME)

  
(SIGNATURE OF PETITIONER)

Date: August 24, 2009

NEAL RAYMOND HERSH, ESQ. (SBN 71194)  
(TYPE OR PRINT NAME)

  
(SIGNATURE OF ATTORNEY FOR PETITIONER)

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**ATTACHMENT "7j" to PETITIONER'S PETITION FOR DISSOLUTION**

Pursuant to *Code of Civil Procedure* § 632, and *California Rules of Court*, Rule 3.1590, Petitioner hereby requests a Statement of Decision with respect to any contested issue submitted to the Court for determination in the within proceeding. Petitioner 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 and costs.

Petitioner hereby further requests that the Court grant such other relief that the Court deems just, fair and proper.

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