

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

FAMILY DIVISION

CASE NO.

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
4544 Post Oak Place - Suite 380
Houston, Texas 77027
Phone: (713) 966-4444
Fax: (713) 966-4466

KUTNER AND ASSOCIATES
11th Floor - Courthouse Tower
44 West Flagler Street
Miami, Florida 33130-1808
Phone: (305) 377-9411
Fax: (305) 377-4758

for By: [Signature]
EARLE S. LILLY
Texas Bar No.: 12356000

for By: [Signature]
MAURICE JAY KUTNER
Florida Bar No.: 44775

and

and

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

for By: [Signature]
ANTHONY P. SABATINO
Florida Bar No.: 185809

/s/

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.