

DISTRICT COURT,

COUNTY OF EL PASO,

STATE OF COLORADO

Civil Action No. 97 DR 3393

Division X/2
FILED IN THE DISTRICT AND
COUNTY COURTS OF
EL PASO COUNTY, COLORADO

DECREE OF DISSOLUTION OF MARRIAGE

MAY 12 1998

In Re the Marriage of:

HARMON LYNN WILFRED,

LEE V. COLE, JR.
CLERK

Petitioner,

and

DEARNA GARCIA WILFRED,

Respondent.

THIS MATTER came on before the Court on the 27th day of April, 1998. Present were the Respondent, DEARNA GARCIA WILFRED, along with her attorney, JEFFREY A. WESTON. The Petitioner, HARMON LYNN WILFRED did not appear, however his attorney, SEYMOUR WHEELOCK did appear by telephone. The Court having examined the file, read the Affidavits of the parties, heard testimony, reviewed the Separation Agreement and considered the statements of counsel, Finds and Orders as follows:

FINDINGS:

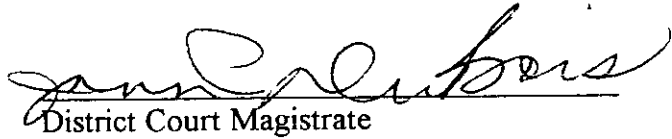
1. The Court has jurisdiction over both parties based upon service on Respondent on or about October 10, 1997.
2. The parties are residents of the State of Colorado and had established a marital domicile in Colorado over ninety (90) days before this case was filed.
3. At least ninety (90) days have passed since service.
4. The marriage between the parties is irretrievably broken.
5. The Respondent is not now pregnant.
6. The Orders entered by the Court on April 27, 1998, which are incorporated herein, has been considered by the Court and is found not to be unconscionable as to payment of child support, maintenance, division of property, payment of obligations, and other matters attendant to the marriage, and that the best interests of the children has been met as to custody and visitation.
7. The Court finds it is in the best interest of the parties that a Decree be entered.

THE COURT THEREFORE ORDERS:

- A. The marriage is dissolved, and a Decree of Dissolution of Marriage is entered.
- B. Each of the parties shall follow the provisions of the Final Orders which is approved by the court and adopted as an order of this Court by reference.
- C. This Court shall retain jurisdiction over this matter as is provided for by law.

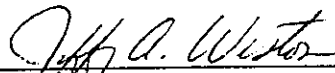
DONE IN CHAMBERS this 12th day of May, 1998.

BY THE COURT:


District Court Magistrate

APPROVED AS TO FORM:

THE LAW OFFICES OF
JOHN B. CICCOLELLA, P.C.

By 
Jeffrey A. Weston, No. 24840
Attorney for Respondent

Colorado, County of _____
to be a true, and correct
of the original in my custody.

JN 04 1998

J. P. Jones
J. P. COLEMAN
THE DISTRICT

**THE LAW OFFICES OF
JOHN B. CICCOLELLA, P.C.**
405 SOUTH CASCADE AVENUE, SUITE 205
COLORADO SPRINGS, CO 80903
Telephone (719) 636-1561
Facsimile (719) 444-0155
E-Mail Jcicco@cris.com

Jeffrey A. Weston

May 14, 1998

Clerk of District X
El Paso County Courthouse
20 E. Vermijo
Colorado Springs, CO 80903

Re: Civil Action No. 97 DR 3393

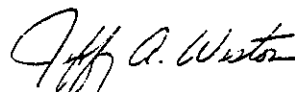
To the Clerk of the Court:

Enclosed please find a corrected copy of the final orders as requested by your office. The only change made was to add the last sentence in paragraph 6 limiting the number of years spousal support is to be paid by the Petitioner.

I hereby certify that I am mailing a copy of this letter and an updated final orders in its entirety to Harmon Wilfred at the address provided by his former counsel in his motion to withdraw: c/o Arcore International Funding, LLC, Ste. 344, 356 Ontario Street, Stratford, Ontario, Canada, N5A 7X6.

Thank you for your attention to this matter.

Sincerely,



Jeffrey A. Weston

JAW:jaw

cc: Client
Harmon Wilfred

FINAL ORDERS

In Re the Marriage of:

HARMON LYNN WILFRED,

Petitioner,

and

DEARNA GARCIA WILFRED,

Respondent.

THIS MATTER came on before the court on April 27, 1998, upon the Respondent's Setting Uncontested Final Orders, and the Court having read the file, having considered the Order of Division 2 regarding the Petitioner's Objection to setting uncontested final orders, and having heard the evidence presented by Respondent, finds and orders as follows:

1. The Respondent was properly served with notice of final orders and he has failed to personally appear. While his attorney appeared by telephone, a default shall enter against the Respondent as to all issues except permanent custody of the minor children.
2. The contested issue of permanent custody shall come before Division 2, Hon. Richard V. Hall presiding on September 14, 1998 at the hour of 1:30 p.m. and such further times as this court may continue the case to. Further, the issue of marital debt shall also be addressed at the September 14th hearing.
3. The parties are residents of the State of Colorado and had established a marital domicile over ninety days prior to the filing of this action. This Court has jurisdiction over the subject matter and personal jurisdiction over the parties.
4. The prior custody orders entered in this action shall remain in effect.
5. The Court takes judicial notice of the Arapahoe County order of June 27, 1990, in Arapahoe County case number 89DR477, whereby the court found that the Petitioner had the ability to earn between \$10,000 and \$20,000 per month. The Court notes the Respondent's testimony that the Petitioner has no physical or mental limitations that would hinder his ability to earn \$10,000 per month.

6. The Court finds that the Respondent lacks sufficient property to support herself and is unable to support herself through appropriate employment. The Court hereby awards spousal maintenance to be paid by the Petitioner to the Respondent in the amount of \$3,000.00 per month commencing May 1, 1998. Spousal maintenance is to be paid for a period of three (3) years.
7. Petitioner shall pay the sum of \$1092.00 per month as current child support. Payments shall commence on February 15, 1998, the date the Respondent assumed physical custody of the children, and payments shall continue until said children reaches the age of 19 years, becomes otherwise emancipated, or until further order of the Court.

Children for whom support is ordered:

Name: Danielle Marie Wilfred Age: 6 DOB: 10/16/1991
Sex: Female Social Security Number:

Name: Isaac Arthur Wilfred Age: 4 DOB: 12/06/1993
Sex: Male Social Security Number:

INFORMATION REGARDING OBLIGEE:

Name: Dearna Garcia Wilfred
Address: 7260 S. Washington Way
 Littleton, CO 80122
DOB: 04-23-1959
Social Security Number: 522-13-9585
Sex: Female

INFORMATION REGARDING OBLIGOR:

Name: Harmon Lynn Wilfred
Address: unknown
DOB: 05/29/1949
Social Security Number: 283-48-4497
Sex: Male

8. Pursuant to C.R.S. §14-10-111.5, the amount of child support and maintenance shall be deducted and withheld from the income of the Obligor/Petitioner.
9. As long as the Petitioner continues to receive welfare the Petitioner's child support and spousal maintenance payments shall be made through the Family Support Registry, P.O. Box 2171, Denver, CO 80201-2171.

10. Pursuant to C.R.S. §14-10-115(13.5), the Petitioner is ordered to provide medical or medical/dental insurance for the minor children so long as said insurance is available through Petitioner's effective medical or medical and dental insurance policy available through an employer or a private insurance carrier. The parties shall be responsible for co-payments, deductibles and other unreimbursed medical expenses in proportion to their income share as determined by the child support guideline, which is 64 percent to Petitioner and 34 percent to Respondent.
11. Pursuant to C.R.S. §14-10-115(7.5) the Petitioner is entitled to utilize the tax exemptions proportionate to the incomes of the parties. As long as the Petitioner is current with his child support payments he is entitled to claim both minor children for tax purposes two out of every three years.
12. Due to the disproportionate incomes of the parties and due to the Petitioner's removal of the children from Colorado and the United States, which was directly contrary to court order, the Petitioner shall be responsible for the attorney fees incurred by the Respondent to obtain the children from Canada. A judgment in the amount of \$17,653.00, deemed in the nature of spousal support is hereby entered against the Petitioner and in favor of the Respondent.
13. The Court hereby awards the Respondent \$10,000,000.00 in property to be paid by the Petitioner. This amount is one half of the proceeds to be paid to the Petitioner through his "Mitsubishi Bond Deal." The Petitioner may tender to the Court in a reasonable period of time any reasonable fees he is required to pay to complete this Bond Deal.
14. The parties shall keep the marital property each currently has in his or her possession. The issue of marital debt shall be addressed at the September 14, 1998 hearing, but each party shall be responsible for personal debt incurred since the time of separation.

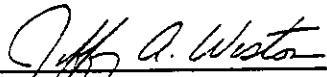
DONE IN CHAMBERS this _____ day of _____, 1998, *nunc pro tunc* to April 27, 1998.

BY THE COURT:

District Court Magistrate

PREPARED BY AND APPROVED
AS TO FORM:

THE LAW OFFICES OF
JOHN B. CICCOLELLA, P.C.



Jeffrey A. Weston, Reg. No. 24840
Attorney for Respondent
405 South Cascade, Suite 205
Colorado Springs, CO 80903