

IN THE CIRCUIT COURT OF THE NINETEENTH JUDICIAL CIRCUIT
IN AND FOR MARTIN COUNTY, FLORIDA

IN RE: The Marriage of
ARIEL J. POHOLEK,

FAMILY DIVISION
CASE NO. 06-923-DR
JUDGE: Mirman

Petitioner/Husband
and

JOCELINE POHOLEK,

Respondent/Wife.
_____ /

AMENDED PETITION FOR DISSOLUTION OF MARRIAGE

COMES NOW the Petitioner/Husband, Ariel J. Poholek, and files this his Amended Petition
for Dissolution of Marriage, and states as follows:

1. This is an action for dissolution of the bonds of marriage between the Husband, Ariel J. Poholek, and the Wife, Joceline Poholek.
2. The parties were married to each other on February 12, 2002, in Ntoum, Estuaire, Gabon, and cohabited together in the State of Florida as Husband and Wife until their separation in September 2006.
3. The marriage between the parties is irretrievably broken.
4. Both parties are over the age of eighteen (18) years and neither is, nor has been within a period of thirty (30) days immediately prior to this date, a person in the military services of the United States of America as defined by the Amended Soldiers' and Sailors' Civil Relief Act of 1940.
5. The Husband has been a resident of the State of Florida for more than six (6) months before filing this Amended Petition.

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CLERK OF CIRCUIT COURT
D.C.

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6. There are two children born of this marriage, to wit: Daniel Mba Weisberger, Date of Birth: February 25, 2003, and Pascal-Rene Zue Weisberger, Date of Birth: February 2, 2006. There are no additional children contemplated.

7. The Husband is a fit and proper parent, and it is in the best interest of the minor children that this Court order shared parental responsibility of the minor children, with the primary physical residence to be with the Petitioner/Husband both temporarily and permanently, with reasonable rights of access reserved to the Wife.

8. The Husband has been a loving, dedicated caregiver for the minor children and has been involved in the activities of the children since their birth. Further, he is able to provide a safe and loving environment, which is in the best interest of the minor children. The Husband has a professional job as a biologist with the Florida Fish and Wildlife Conservation Commission in Jupiter, Florida, and is available to pick up and drop off the minor children at the Dunbar Center in Hobe Sound, Florida.

9. During the marriage, the Wife has been verbally abusive, and sometimes violent against the Husband, throwing things and breaking his possessions. The Wife has also threatened the Husband; blocked his path when he tried leave; and initiated physical altercations. These hostile actions by the Wife has caused the minor children to be raised in an atmosphere of conflict and negativity. These ongoing actions by the Wife, caused the Husband to leave the home to avoid the Wife's verbal and physical violence, some of which occurred in front of the children.

10. The Wife should not be the primary residential parent because it is not in the best interest of the minor children that they be raised in a hostile environment. Further, the Wife should be ordered by the Court to take parenting courses and anger management courses. The Wife has a history of meddling with the Husband's bond with the children by questioning the children during and after their visits with the Father and making inappropriate comments about the Father in front of the children.

11. The Husband has attempted to discuss with the Wife on numerous occasions an access schedule with the minor children, but the Wife has repeatedly refused to discuss this issue and has blocked the husband's access to the minor children, as evidenced on Christmas Day 2006, when the Wife refused any visitation at all by the Husband with the minor children, even though the Husband had neatly prepared his home in a cozy, welcoming manner for the two young boys to enjoy their Christmas gifts and a part of the day with their Father.

12. The Husband and Wife live in close proximity of each other, and it is in the best interest of the minor children that the Husband be the primary residential parent, as the Husband would be the parent most amenable to providing visitation to the other parent. During the separation of the parties when the children have been in the Husband's care and custody, the Husband has allowed the Wife to enter his home to visit with the children and check up on their medical welfare. The Husband has always been willing to work with the Wife and has always been accommodating.

13. During the separation of the parties, the Husband has provided funds to the Wife to assist in the care of the minor children. Additionally, the Husband has been providing medical insurance for the children and has taken on the full cost of day care for both children and is current on these payments.

14. The Wife is able to contribute to the support of the minor children, and the Husband is in need thereof. Said child support should be paid by means of Income Deduction Order to guarantee its payment.

15. The Wife should be required to purchase and maintain a life insurance policy on her life, with the minor children as the sole beneficiary sufficient to secure all awards made by this Court.

16. During the course of the marriage the parties have accumulated various marital assets and personal property, which need to be divided by the Court.

17. During the course of the marriage the parties have accumulated various marital liabilities, which need to be divided by the Court.

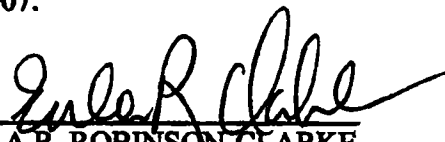
18. The Petitioner has retained Eula R. Robinson-Clarke, Esq. to represent him in this action and has agreed to pay the firm a reasonable fee for this representation

WHEREFORE, the Petitioner/Husband respectfully requests that this Court grant the following:

- A. That the Court take jurisdiction of this cause and grant a dissolution of Petitioner's marriage to the Respondent;
- B. That the Court award shared parental responsibility for the minor children of the parties and award primary physical residence to the Husband, both temporarily and permanently, with reasonable rights of access reserved to the Wife;
- C. That the Wife be ordered to pay the Husband child support, both temporarily and permanently, and further order that it be paid by means of an Income Deduction Order;
- D. That the Wife be required to purchase and maintain life insurance policies on her life, with the minor children as the sole beneficiary sufficient to secure all awards made by this Court;
- E. That the Wife be ordered by the Court to take parenting courses and anger management courses;
- F. That the Court equitably divide the parties' marital assets and personal property;
- G. That the Court made equitable distribution of all liabilities of the parties;
- H. That this Court grant such other relief as it deems necessary and proper.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true copy of the foregoing has been furnished to the O.J. Odunna, Esq., Attorney for Respondent/Wife, 7491 W. Oakland Park Boulevard, Suite 301, Lauderhill, Florida 33319 on the 21 day of ~~January~~ ^{February}, 2007.


EULA R. ROBINSON-CLARKE
P.O. Box 3335
Stuart, Florida 34995-3335
Telephone: (772) 220-3324
Florida Bar Number: 0116998

IN THE CIRCUIT COURT OF THE NINETEENTH JUDICIAL CIRCUIT
IN AND FOR MARTIN COUNTY, FLORIDA

IN RE: THE MATTER OF:
ARIEL J. POHOLEK,

CASE NO. 2006-DR-923

Petitioner/Husband,

FAMILY DIVISION

vs.

JOCELINE POHOLEK,

Respondent/Wife.

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MARSHA L. EMMING
CLERK OF CIRCUIT COURT

REQUEST FOR PRODUCTION OF DOCUMENTS

The Respondent/Wife, JOCELINE POHOLEK, pursuant to the Florida Rules of Civil Procedure and Florida Family Law Rules of Procedure, directs the Petitioner/Husband, ARIEL J. POHOLEK, to produce at the Law Offices of O.J. Odunna, P.A., 7491 W. Oakland Park Blvd., Suite 301, Lauderhill, Florida 33319, the following items or copies thereof which are in her possession, custody, or control of her attorney, employees or agents: (Please respond to each paragraph and subparagraph with specificity. In the event that the Wife does not have the specific item requested, or those items are not under her control or direction, please so specifically state.)

DEFINITIONS

1. The term "you" refers to the Petitioner who is responding to the Request including its officers, directors, partners, agents, representatives, employees, attorneys and any persons or entities acting principally on behalf of said Petitioner.

2. The term "documents" refers to any written, recorded or other reproducible manifestation or communication of language, including but not limited to the particular items listed: correspondence, letters, contracts, advertisements, agreements, appointment records, audio recordings, balance sheets, bills, bills of lading, blanks, books, books of account, bylaws, cable grams, certificates, charters, charts, checks, communications, computer programs,

computer printouts, computer readouts, computer tapes, data compilation which can be translated or obtained through detection devices, delivery records, entries, estimates, expense reports, field notes, film, financial analysis, financial statements, forms, graphs, handbooks, income statements, indices, instruments, intra-office and inter-office communications and memoranda, invoices, itemizations, journals, licenses, manuals, maps, meeting reports, memoranda of all conversations, including telephone calls, minutes, notes, order forms, orders, opinions, patents, patent applications, payroll records, permits, photocopies, photographs, planographs, plans, press releases, proofs, prospectuses, publications, receipts, recordings, records, records of account, reports, requisitions, resolutions, sketches, specifications, statements, statistical records, studies, summaries, systems analysis, tapes, telegrams, texts, time records, training manuals, transcripts, valuations, video recordings, warehouse receipts, writings or work papers and all non-identical copies thereof which are in the possession, custody or control of you or your officers, directors, partners, employees, agents, attorneys, or representatives, or any other person or entity acting principally on its behalf.

3. The term "correspondence" refers to any "documents" as that term is defined above, that have been exchanged from person or entity to another person or entity or which were intended to be exchanged or prepared in order to be so communicated from one person or entity to another, whether or not such correspondence was actually exchanged, mailed or posted.

You are requested to produce all items and documents contained in Exhibit "A", which is attached hereto.

EXHIBIT "A"

1. All or your personal, financial, business and property records and all other papers, passbooks, record books and books of account which tend to disclose the extent and nature of all financial interests, property and property rights owned by you for the past three (3) years and the location thereof.

2. All passbooks and/or bank statements with respect to all savings accounts, and savings and loan association share accounts in your name or in which you had an interest or were an authorized signatory for the past three (3) years.

3. All of your checkbooks, bank statements, check registers and/or check stubs, and cancelled checks with regard to any and all personal checking accounts owned by you or in which you have an interest or have been an authorized signatory for the past three (3) years.

4. The deeds to al real property owned personally by you, whether such property is owned individually or jointly with any other person or entity.

5. Any and all corporate securities (stocks or bonds) owned by you individually or jointly with any other person or entity.

6. Your accounts receivable ledger or other personal records which set forth the names and addresses of all persons or business enterprises that are indebted to you personally, and the amounts of such indebtedness.

7. Copies of your personal (or joint) income tax returns and all supporting schedules for the past three (3) years (including but not limited to any adjustments to any returns, either voluntary or involuntary). In the event you have not filed a current income tax return, any and all W-2 forms K-1 forms, or other documentation of whatever kind or nature which would tend to fully disclose your income, and all deductions to which you may be entitled in filing same. Copies of all Florida Intangible Tax Returns and Federal Gift Tax Returns filed by you and worksheets in connection therewith for the past three (3) years.

8. Copies of paycheck stubs from any employer or employers for the past three (3) years, regardless of the capacity in which you are employed.

9. The title certificates, registration certificates, bills of sales and other evidence of ownership possessed by you with respect to any of the following described personal property owned by you, whether individually or jointly with any other person or entity:

- (a) Motor vehicles of any type;
- (b) Commercial, business or construction equipment of any type;
- (c) Boats, launches, cruisers or other vessels of any type;
- (d) Aircraft of any type.

10. The loan or financing papers (including supporting financial statement submitted on the items requested in #9).

11. Leases or other agreements to rent for commercial and/or residential property leased by you to any individual or entity or leased to you by any individual or entity.

12. Inventory or other written statements or communications to you or your attorneys which relate to your interest in any administration of any deceased person.

13. With regard to any business enterprise wherever situated whether in form of a corporation, partnership, joint venture or other, in which you were an officer in or in which you had at least 10% interest for the past four (4) years, produce the following documents:

(a) All passbooks with respect to all savings accounts, checking accounts, and savings and loan association share accounts owned by said entity or entities;

(b) All checkbooks, bank statements, check registers, and/or check stubs and cancelled checks with regard to any and all checking accounts owned by entity or entities for the past three (3) years;

(c) The deeds to all real property owned by said entity or entities;

(d) Any and all corporate securities (stocks and bonds) owned by said entity or entities;

(e) Accounts receivable ledgers or other records which set forth the names and addresses of all person or business enterprises that are indebted to said entity or entities, and the amounts of such indebtedness, whether billed or not;

(f) Copies of any and all partnership or corporate income tax returns and intangible tax returns filed by said entity or entities for the past four (4) years. In the event that a return has not been prepared or filed for any of the years, please produce all records of whatever kind or nature which would tend to fully disclose the contents of any tax return to be filed on its or their behalf;

(g) Copies of balance sheets and profit and loss statements prepared with regard to said entity or entities for the past four (4) years;

(h) Any and all ledger and journals which would fully disclose the financial condition of said entity or entities for the past four (4) years;

(i) The title certificates, registration certificates, bills of sale and other evidences of ownership with respect to any of the following described personal property owned by said entity or entities:

- (1) Motor vehicles
- (2) Commercial, business or construction equipments of any type
- (3) Boats, launches, cruisers or other vessels of any type
- (4) Aircraft of any type
- (5) Inventory

(j) Corporate minute books, minutes, Articles of Incorporation and Amendments thereto, By-Laws and Amendments thereto, and stock certificate books.

(k) Any and all papers which may have been filed with regard to any dissolution of said business enterprise(s), bankruptcy, reorganization, or sale of said business enterprise(s).

(l) Any and all shareholder agreements, partnership agreements, and/or joint venture agreements.

(m) All financial statements, net worth statements, financial summaries, profit and loss statements and financial projections which have been made with respect to business finances for the last four (4) years regardless of whether the statements or summaries have been submitted to any business organizations or entity.

(n) Liabilities or debts by you or your spouse to the corporation for the past (3) years.

14. Any and all existing life insurance policies on you or your family, including insurance paid for by yourself or by any other person or entity.

15. All monthly statements and end of year statements from any stock broker with which you had an account, either individually or jointly with another person or entity for the past four (4) years.

16. All loan applications (including supporting financial statements or financial disclosure), promissory notes, other evidence of debt incurred by you, either individually or as a shareholder, officer, director, or partner of any entity referred to in #13, for the past four (4) years.

17. All statements of account and individual charge slips records for all credit accounts, and any other charge accounts which you have maintained for the past three (3) years.

18. Any pension, profit-sharing, or deferred compensation plan owned by you individually or jointly with another individual or entity, or in conjunction with any entity referred to in #13. Include copies of all statements, account records, plans, amendments to plans or other documents which indicate your interest in any retirement plan.

19. Any closing statement or other documentation indicating the down payment on any real property purchased during the parties' marriage.

20. Financial Affidavit substantially in accordance with Rule 12.901(d) or (e), Fla. Fam. L.R.P.

21. Copies of all passports held by you for the past two (2) years.

22. Any premarital, antenuptial, postnuptial, and/or marital settlement agreement entered into by you and your spouse.

23. Any keys to safety deposit box(es) and rental statements for same.

24. Copies of all employment contracts, agreements and correspondence with regard to current employment and for the past five (5) years.

25. All financial statements, net worth statements, financial summaries, profit and loss statements and financial projections which have been made with respect to personal finances for the last four (4) years regardless of whether the statements or summaries have been submitted to any business organizations or entity.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was mailed to: Eula R. Clarke, P.A., P.O. Box 3335, Stuart, Florida 34995-3335, this 26th day of February, 2007.

Respectfully Submitted by:

LAW OFFICES OF O.J. ODUNNA, P.A.
7491 W. Oakland Park Blvd.
Third Floor, Suite 301
Lauderhill, Florida 33319
Tel. (954) 749-6260
Fax (954) 749-6286

By: 

O.J. Odunna, Esq.
Attorney for Respondent/Wife

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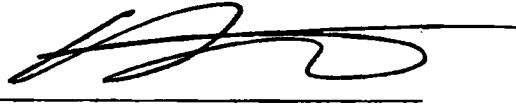
NOTICE OF SERVICE OF STANDARD FAMILY LAW INTERROGATORIES

Respondent/Wife, JOCELINE POHOLEK, by and through the undersigned attorney, O.J. Odunna, Esquire, has served upon Petitioner/Husband, ARIEL J. POHOLEK, to be answered under oath within 30 days after service, the Standard Family Law Interrogatories for **Original or Enforcement Proceedings**.

Dated: February 26, 2007.

Respectfully Submitted by:

LAW OFFICES OF OJ ODUNNA, P.A.
7491 W. Oakland Park Boulevard
Third Floor, Suite #301
Lauderhill, Florida 33319
Tel. (954) 749-6260
Fax (954) 749-6286

By: 

O.J. Odunna, Esq.
Attorney for Respondent/Wife

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MAKSHA LIVING
CLERK OF CIRCUIT COURT

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O.J. Oduma, Esq.
Attorney for Respondent/Wife