

IN THE CIRCUIT COURT OF THE 15TH JUDICIAL CIRCUIT
IN AND FOR PALM BEACH COUNTY, FLORIDA

IN RE: THE MARRIAGE OF

CASE NO: 501971DR004137XXDIFD

WILLIAM A. CABANA,
Petitioner/Former Husband,

FAMILY DIVISION

and

SHARON ANN MAYO f/k/a
SHARON ANN CABANA
Respondent/Former Wife.

**ORDER ON FORMER HUSBAND'S MOTION OBJECTING TO COURT
ORDERS GRANTING FORMER WIFE'S REQUEST FOR ATTORNEYS FEES**

THIS CAUSE came before the Court on August 29, 2005 on Former Husband's Motion Objecting to Court Orders Granting Former Wife's Request For Attorneys Fees bearing certificate of service dated August 22, 2005 (D.E. 223). The Court, having considered the motion, argument, and being otherwise fully advised in the premises,

ORDERS AND ADJUDGES as follows:

1. Former Husband's Motion Objecting to Court Orders Granting Former Wife's Request For Attorneys Fees bearing certificate of service dated August 22, 2005 is hereby denied.

DONE AND ORDERED at West Palm Beach, Palm Beach County, Florida, this

_____ day of September, 2005.

SIGNED & DATED

SEP - 7 2005

CIRCUIT COURT JUDGE

JUDGE MARTIN H. COLIN

Cathy L. Kamber, Esq., 1675 Palm Beach Lakes Blvd., Suite 700, West Palm Beach, FL 33401

William A. Cabana, 1050 Capri Isles Blvd., #F105, Venice, FL 34292

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Respondent/Former Wife.

ORDER ON OUTSTANDING MOTIONS

THIS CAUSE came before the Court on August 29, 2005 pursuant to this Court's "Order Setting Hearing On All Former Husband's Outstanding Motions" dated August 11, 2005 (D.E. 216) . At hearing, Former Husband furnished the Court with a list entitled "Presentation Order of Motions to be Heard August 29th". The Court notes that certain items on Former Husband's "Presentation Order of Motions to be Heard August 29th" are not motions before the Court. As to all motions requested or designated by Former Husband to be considered at hearing, separate orders have been entered. Former Husband advised the Court that there were no other outstanding motions requiring adjudication by the Court. It is thereupon **ORDERED AND ADJUDGED** that any other outstanding motions filed by Former Husband are hereby deemed denied.

DONE AND ORDERED at West Palm Beach, Palm Beach County, Florida, this

_____ day of September, 2005.

SIGNED & DATED

SEP - 7 2005

CIRCUIT COURT JUDGE JUDGE MARTIN H. COLIN

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CASE NO: 501971DR004137XXDIFD

Order on Outstanding Motions

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IN RE: THE MARRIAGE OF

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FAMILY DIVISION

and

SHARON ANN MAYO f/k/a
SHARON ANN CABANA
Respondent/Former Wife.

**ORDER ON DECLARATORY JUDGMENT MOTION TO CHALLENGE THE
CONSTITUTIONALITY OF THE PERMANENT ALIMONY STATUTE**

THIS CAUSE came before the Court on August 29, 2005 on Former Husband's Declaratory Judgment Motion to Challenge the Constitutionality of the Permanent Alimony Statute (D.E. 104). The Court, having considered the motion, argument, and being otherwise fully advised in the premises,

ORDERS AND ADJUDGES as follows:

1. Former Husband's Declaratory Judgment Motion to Challenge the Constitutionality of the Permanent Alimony Statute is hereby denied.

DONE AND ORDERED at West Palm Beach, Palm Beach County, Florida, this

_____ day of September, 2005.

SIGNED & DATED

SEP - 7 2005

CIRCUIT COURT JUDGE
JUDGE MARTIN H. COLIN

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IN AND FOR PALM BEACH COUNTY, FLORIDA

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CASE NO: 501971DR004137XXDIFD

WILLIAM A. CABANA,
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FAMILY DIVISION

and

SHARON ANN MAYO f/k/a
SHARON ANN CABANA
Respondent/Former Wife.

**ORDER ON FORMER WIFE'S MOTION TO DISMISS SUPPLEMENTAL
PETITION FOR MODIFICATION OF ALIMONY**

THIS CAUSE came before the Court on August 29, 2005 on Former Wife's Motion to Dismiss Supplemental Petition for Modification of Alimony (D.E. 100). The Court, having considered the motion, and being otherwise fully advised in the premises,

ORDERS AND ADJUDGES as follows:

1. Former Wife's Motion to Dismiss Supplemental Petition for Modification of Alimony is hereby denied as herein otherwise set forth. Former Husband is not entitled to relief from any past due alimony arrearages accumulated prior to April 5, 2004, or interest thereon.

2. Former Wife shall file her Answer to Former Husband's Supplemental Petition for Modification of Alimony on or before September 13, 2005.

DONE AND ORDERED at West Palm Beach, Palm Beach County, Florida, this

_____ day of September, 2005.

SIGNED & DATED
SEP - 7 2005

JUDGE MARTIN H. COLIN
CIRCUIT COURT JUDGE

Cabana v. Mayo

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Order on Former Wife's Motion to Dismiss Supplemental Petition for Modification of Alimony

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IN THE CIRCUIT COURT OF THE 15TH JUDICIAL CIRCUIT
IN AND FOR PALM BEACH COUNTY, FLORIDA

IN RE: THE MARRIAGE OF

CASE NO: 501971DR004137XXDIFD

WILLIAM A. CABANA,
Petitioner/Former Husband,

FAMILY DIVISION

and

SHARON ANN MAYO f/k/a
SHARON ANN CABANA
Respondent/Former Wife.

**ORDER DENYING PETITIONER'S MOTION AND MEMORANDUM OF LAW
TO TERMINATE ALIMONY**

THIS CAUSE came before the Court on August 29, 2005 on Petitioner's Motion and Memorandum of Law to Terminate Alimony bearing certificate of service dated July 25, 2005. The Court, having considered the motion, legal argument and being otherwise fully advised in the premises,

ORDERED AND ADJUDGED as follows:

1. To the extent that Petitioner's Motion and Memorandum of Law to Terminate Alimony seeks a non evidentiary legal determination that the alimony provisions contained in Florida Statutes Chapter 61 are unconstitutional, or otherwise seeks a declaratory judgment that Florida Statutes Chapter 61 is violative of either the Florida or Federal Constitution, or otherwise seeks an injunction prohibiting enforcement of this Court's prior award of alimony to Former Wife, the motion is denied with prejudice. Former Husband is specifically enjoined from refileing any pleading seeking the relief sought by him in the subject Motion

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Order Denying Petitioner's Motion and Memorandum of Law to Terminate Alimony

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and Memorandum of Law to Terminate Alimony.

2. The foregoing ruling shall not preclude an independent consideration of Former Husband's Supplemental Petition for Modification of Alimony upon a proper evidentiary hearing.

DONE AND ORDERED at West Palm Beach, Palm Beach County, Florida, this

_____ day of September, 2005.

SIGNED & DATED

SEP - 7 2005

CIRCUIT COURT JUDGE JUDGE MARTIN H. COLIN

Cathy L. Kamber, Esq., 1675 Palm Beach Lakes Blvd., Suite 700, West Palm Beach, FL 33401

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FAMILY DIVISION

and

SHARON ANN MAYO f/k/a
SHARON ANN CABANA
Respondent/Former Wife.

**ORDER DENYING FORMER HUSBAND'S MOTION TO DENY FORMER
WIFE'S AMENDED MOTION FOR CONTEMPT, NOTICE OF INTENT TO USE
SUMMARIES AND COMPILATIONS, MOTION TO DISMISS
SUPPLEMENTAL PETITION FOR MODIFICATION, NOTICE OF
PRODUCTION FROM NON PARTY, MOTION TO STRIKE CONTEMPT
DEFENSES, MOTION TO COMPEL PRODUCTION, INTERROGATORIES
AND FINANCIAL AFFIDAVIT, AND IN ADDITION FORMER HUSBAND'S
MOTION FOR CHANGE OF VENUE**

THIS CAUSE came before the Court on August 29, 2005 on Former Husband's Motion to Deny Former Wife's Amended Motion for Contempt, Notice of Intent to Use Summaries and Compilations, Motion to Dismiss Supplemental Petition for Modification, Notice of Production from Non Party, Motion to Strike Contempt Defenses, Motion to Compel Production, Interrogatories and Financial Affidavit and in Addition Former Husband's Motion for Change of Venue (D.E.157). The Court, having considered the motion, legal argument and being otherwise fully advised in the premises,

ORDERED AND ADJUDGED as follows:

1. To the extent that Former Husband seeks an Order Denying Former Wife's

Amended Motion for Contempt, same is denied as insufficient legal grounds have been asserted in support of the motion.

2. To the extent that Former Husband's motion seeks to deny Former Wife's Notice of Intent to Use Summaries and Compilations, same is denied. Former Husband's argument that the Former Wife's summaries do not agree with the Clerks's records is an insufficient basis to strike Former Wife's properly filed Notice of Intent to Use Summaries and Compilations.
3. To the extent that Former Husband seeks to compel production, same is moot.
4. To the extent that Former Husband seeks a change in venue, same is denied.
5. To the extent that Former Husband's motion addresses Former Wife's previously filed Motion to Dismiss, same is addressed in a separate order entered by this Court of even date.

DONE AND ORDERED at West Palm Beach, Palm Beach County, Florida, this

_____ day of September, 2005.

SIGNED & DATED

SEP - 7 2005

CIRCUIT COURT JUDGE MARTIN H. COLIN

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