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IN THE DISTRICT COURT IN AND FOR TULSA COUNTY
STATE OF OKLAHOMA

IN RE THE MARRIAGE OF

[REDACTED]

PETITIONER,

AND

[REDACTED]

RESPONDENT.

DISTRICT COURT

FILE

OCT 03 2016

SALLY HOWE SMITH, COURT CLERK
STATE OF OKLA. TULSA COUNTY

CONSENT TEMPORARY ORDER

NOW on this the 3rd day of October, 2016, the above matters come on before me the undersigned Judge of the District Court. Neither party appears, but both approve of the entry of this Consent Temporary Order as evidenced by their signatures, and the signatures of their respective counsel, Katherine V. Lewis of Cordell & Cordell, for the Petitioner, and Benjamin Aycock, of JAMES R. GOTWALS & ASSOCIATES, INC. for the Respondent.

The parties having announced an agreement with regard to temporary orders which they now wish to make an order of the court, the Court having reviewed the file and the stipulations of the parties, and based upon the approval of the parties and by counsel for each party, and being fully advised of the premises, FINDS as follows:

1. That the parties shall be awarded temporary joint legal custody of the

minor children.

2. That the parties shall share physical custody of the children during alternating weeks, with the exchange of the children occurring on Fridays at 6:00 p.m. The party not exercising primary physical custody during a given week shall be entitled to Wednesday evening visitation from 5:00 p.m. to 8:00 p.m. The parties further agree to exercise holiday visitation with the minor children pursuant to the Holiday Schedule attached as Exhibit A.

3. The parties may vary or modify any of the custodial periods described herein and/or may exercise such additional custodial periods as are agreed to in advance by the parties.

4. That beginning October 1, 2016, Respondent shall pay child support to the Petitioner in the sum of \$125.99.00 per month, with a like sum due on the 1st day of each month thereafter pursuant to the Child Support Computation attached as Exhibit B.

5. That Petitioner shall continue to maintain medical insurance for the minor children, and Respondent shall continue to maintain dental and vision insurance for the minor child, and Petitioner shall pay 47.2% and Respondent shall pay 52.8% of all reasonable and necessary medical, dental, orthodontic, optometrical, psychological or any other physical or mental health expenses of the child not reimbursed by insurance, including but not limited to, all applicable

deductibles. If reimbursement is required, the parent who incurs the expense shall provide the other parent with proof of the expense within forty-five (45) days of receiving the Explanation of Benefits from the insurance provider or other proof of expense if the expense is not covered by insurance. The parent responsible for reimbursement shall pay his or her portion of the expense within forty-five (45) days of receipt of documentation of the expense.

6. That Petitioner shall timely pay 47.2% and the Respondent shall timely pay 52.8% of all employment or education related childcare expenses incurred on behalf of the minor children.

7. Neither party shall consume alcohol or illegal substances while the minor children are present and in their physical custody.

8. There shall be no overnight guests of the opposite sex, not related by blood or marriage, of the parent exercising visitation, when the minor children are present and in their physical custody.

9. The parties shall exercise a Right of First Refusal if either party is unavailable to care for the children for four (4) hours or more.

10. The children shall have no contact with John Swyden.

11. That Petitioner shall be awarded temporary exclusive possession of the marital residence and shall continue to timely pay all costs associated therewith, including but not limited to the mortgage and all utilities. Respondent is

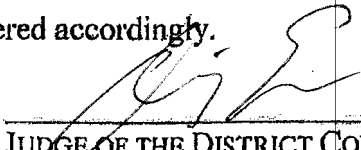
to vacate the residence no later than 6:00 p.m. on September 25, 2016. The parties are to work together to ensure that Respondent receives an equitable share of the household furnishings.

12. That each party shall be awarded temporary exclusive possession of the automobile he or she customarily drives and shall be responsible for the cost of maintaining the automobile, including but not limited to insurance, tag, repairs, and maintenance.

13. That each party shall pay any other debts in his or her separate name.

14. That the Automatic Temporary Injunction, and any other prior orders of the Court, if any, shall remain in effect unless specifically altered herein.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the Court that the above and foregoing findings numbered one (1) through fourteen (14), inclusive, are hereby **ORDERED, ADJUDGED AND DECREED** as if hereinafter set out at length, and judgment is rendered accordingly.



JUDGE OF THE DISTRICT COURT
DATED this 3 day of ~~September~~, 2016.

OCT

AGREED AS TO FORM AND CONTENT:



PETITIONER



RESPONDENT

APPROVED AS TO FORM:

Katherine V. Lewis

Katherine V. Lewis, Esq.
CORDELL & CORDELL
8801 S. Yale Ave., Suite 250
Tulsa, OK 74137
Telephone: (918) 779-3812
Facsimile: (918) 515-4784
ATTORNEY FOR PETITIONER,
[REDACTED]

Benjamin Aycock

James R. Gotwals, OBA #3499
Benjamin Aycock, OBA #21472
JAMES R. GOTWALS & ASSOCIATES, INC.
525 South Main, Suite 1130
Tulsa, Oklahoma 74103-4512
Telephone: (918) 599-7088
Facsimile: (918) 599-7153
ATTORNEY FOR RESPONDENT,
[REDACTED]

CERTIFICATE OF MAILING

The undersigned does hereby certify that on the 3rd day of Oct ~~September~~, 2016, a true and correct copy of the foregoing was mailed via first class mail with sufficient postage prepaid thereon, to:

Katherine V. Lewis, Esq.
CORDELL & CORDELL
8801 S. Yale Ave., Suite 250
Tulsa, OK 74137
ATTORNEY FOR PETITIONER,
[REDACTED]

Benjamin Aycock
Benjamin Aycock

HOLIDAY SCHEDULE

A parent whose regularly scheduled custodial period is interrupted by any Holiday period described in this schedule shall not be entitled to "make-up time". If any Holiday period to which a parent is entitled occurs adjacent to a weekend the parent is exercising, then the Holiday attaches.

Father's Day: Father shall exercise custody from 9:00 a.m. until 9:00 a.m. the following day.

Mother's Day: Mother shall exercise custody from 9:00 a.m. until 9:00 a.m. the following day.

Alternating Holidays: All other holidays shall alternate according to the following schedule and shall take precedence over any regular school year or summer vacation schedule.

Alternating Holiday Schedule – Even Years

Father

Easter: Sunday from 9:00 a.m. until 9:00 a.m. the following day

July 4: From 9:00 a.m. until 9:00 a.m. the following day

Thanksgiving: From 5:00 p.m. Thanksgiving Day until Sunday at 6:00 p.m.

Christmas: Second half from noon Christmas Day until the day before school resumes.

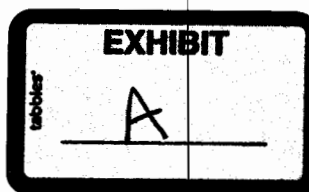
Mother

Memorial Day: Monday from 9:00 a.m. until 9:00 a.m. the following day

Labor Day: Monday from 9:00 a.m. until 9:00 a.m. the following day

Thanksgiving: From Tuesday before the holiday at 6:00 p.m. until 5:00 p.m. Thanksgiving Day.

Christmas: From the day school recesses until noon Christmas Day.



Alternating Holiday Schedule – Odd Years

Father

Memorial Day: Monday from 9:00 a.m. until 9:00 a.m. the following day

Labor Day: Monday from 9:00 a.m. until 9:00 a.m. the following day

Thanksgiving: From 5:00 p.m. Thanksgiving Day until Sunday at 6:00 p.m.

Christmas: From the day school recesses until noon Christmas Day.

Mother

Easter: Sunday from 9:00 a.m. until 9:00 a.m. the following day

July 4: From 9:00 a.m. until 9:00 a.m. the following day

Thanksgiving: From Tuesday before the holiday at 6:00 p.m. until 5:00 p.m. Thanksgiving Day.

Christmas: Second half from noon Christmas Day until the day before school resumes.

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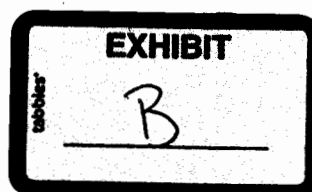
SALLY HOWE SMITH COURT CLERK
 STATE OF OKLA. TULSA COUNTY

IN THE DISTRICT COURT OF _____ COUNTY
 STATE OF OKLAHOMA

_____)	Dist. Ct. Case No. _____
Petitioner, _____)	OAH Case No. _____
vs. _____)	FGN: _____
_____)	
Respondent. _____)	

CHILD SUPPORT COMPUTATION

	Calculation for number of children in this case	3		
	Obligor (person who pays) is (Enter "Father" or "Mother")	Mother		
A	Base monthly obligation	Father	Mother	Combined
1	Gross monthly income All sources, except income specifically excluded by 43 O.S. Section 118B(B)	\$3,838.00	\$4,300.00	\$8,138.00
	a. Amount of self-employment income included in Line 1	\$0.00	\$0.00	
	b. Deduction for self-employment tax Multiply Line 1a by 7.65%	\$0.00	\$0.00	
2	Total gross monthly income Line 1 minus Line 1b	\$3,838.00	\$4,300.00	
	a. Amount of SSA Title II benefits paid for the benefit of the children. Do NOT include SSI benefits. (Enter in the column for the disabled or retired parent.)	\$0.00	\$0.00	
	b. Court ordered support alimony actually paid in a prior case	\$0.00	\$0.00	
	c. Court ordered monthly adjustment for marital debt	\$0.00	\$0.00	
	d. Court ordered monthly child support actually paid for out-of-home children	\$0.00	\$0.00	


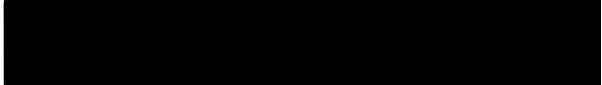




	In-home Children Deduction Worksheet		0	0	
	e. Number of qualified in-home children excluding children on this case				
	f. Amount for qualified in-home children. Apply Line 2 for each parent to Child Support Guideline Schedule amount using the number of children in Line 2e, and multiply guideline amount by 75%		\$0.00	\$0.00	
3	Adjusted gross monthly income (AGI) Amount in Line 2 plus 2a, minus Lines 2b, 2c, 2d, and 2f		\$3,838.00	\$4,300.00	\$8,138.00
4	Percentage share of income AGI for each parent divided by the combined AGI		47.2%	52.8%	100%
5	Base monthly obligation Apply combined AGI to Child Support Guideline Schedule and put total in combined base monthly obligation. Multiply the combined total by the percentage share of income for each parent.		\$725.34	\$812.66	\$1,538.00
B	Parenting time adjustment, if used		Father	Mother	Combined
6	Number of overnights with each parent If less than 121 for either parent, skip to C.		183	182	365
	a. Percentage of overnights with each parent Number of overnights for each parent divided by 365		50.0%	50.0%	100%
	b. Adjusted combined child support obligation Adjustment factor is based on the parent with the fewest overnights. The result in the combined column is the combined monthly obligation in Line 5 multiplied by the adjustment factor.	1.5	<=== Adjustment Factor less than 121 = no factor 121-131 = 2 132-143 = 1.75 144-183 = 1.5		\$2,307.00
	c. Share of adjusted combined child support obligation Combined Line 6b multiplied by the percentage share of income in Line 4		\$1,088.01	\$1,218.99	
	d. Respective adjusted base child support obligation Amount for each parent in Line 6c multiplied by the percentage of the other parent in Line 6a		\$544.01	\$609.50	
7	Adjusted base monthly obligation Line 6d larger amount minus Line 6d smaller amount and the result is for the parent with the positive amount. If the parent has more than 205 in Line 6, use \$0 for that parent. If either parent has less than 121 in Line 6, use the Line 5 amount for both parents.		\$0.00	\$65.49	
C	Obligor (person who pays) is (Enter "Father" or "Mother")		Mother		

D	Work and education-related child care expenses	Father	Mother	Other Custodian
8	Monthly child care expenses for children in this case Do not include any co-payments being paid by a parent receiving OKDHS child care subsidy.	\$0.00	\$0.00	\$0.00
9	Child care expense percentage share of the total Total child care expenses multiplied by percentage share of income for each parent Multiply Line 8 by Line 4	\$0.00	\$0.00	
10	OKDHS Child Care Subsidy Worksheet			
	a. Total children in each parent's household receiving child care subsidy			
	b. Number of children from Line 10a included in this order			
	c. Parent's actual gross monthly income less self-employment tax from Line 2			
	d. Base monthly obligation of the obligor Enter Line 7 for obligor into obligee's column, \$0 for the obligor indicated in Section C	\$0.00	\$0.00	
	e. Amount treated as OKDHS household income Line 10c plus Line 10d			
	f. Amount treated as each parent's family share co-payment from OKDHS Appendix C-4, page 2 Use Lines 10e & 10a			
	g. OKDHS child care co-payment amount Multiply Line 10f by Line 10b, and divide by Line 10a	\$0.00	\$0.00	
11	Child care subsidy co-pay adjustment to child support obligation Child care expense percentage share total Multiply total of Line 10g for both parents by Line 4	\$0.00	\$0.00	
12	Total child care adjustment to base monthly obligation Line 9 plus Line 11, minus Line 8 and Line 10g (amount may be negative)	\$0.00	\$0.00	
E	Health insurance premium	Father	Mother	Other Custodian
13	Monthly health insurance premium costs This premium represents the actual premium cost for any child(ren) in this case only. Insurance Premium Worksheet is available if needed. Use Cash Medical Support if any child is not covered by insurance	\$149.50	\$39.22	\$0.00
14	Monthly health insurance share for each parent Percentage share of income in Line 4 multiplied by total current insurance cost for all persons in Line 13	\$89.00	\$99.72	
15	Total premium cost adjustment to base monthly obligation Line 14 minus Line 13 (amount may be negative)	-\$60.50	\$60.50	
F	Other contributions, if agreed or ordered	Father	Mother	Other Custodian

16	Ongoing medical costs Cash medical support for fixed periodic payments for ongoing medical costs	\$0.00	\$0.00	\$0.00
	a. Adjusted medical costs share Multiply total of Line 16 for all persons by Line 4	\$0.00	\$0.00	
	b. Total ongoing medical costs adjustment to base monthly obligation Line 16a minus Line 16 (amount may be negative)	\$0.00	\$0.00	
17	Visitation transportation costs	\$0.00	\$0.00	\$0.00
	a. Adjusted visitation costs share Multiply total of Line 17 for all persons by Line 4	\$0.00	\$0.00	
	b. Total ongoing visitation costs adjustment to base monthly obligation Line 17a minus Line 17 (amount may be negative)	\$0.00	\$0.00	
G	Child Support obligation subtotal	Father	Mother	
18	Base monthly child support obligation less adjustments for child care and other contributions Add obligor Line 7 to Lines 12, 15 and 17b if positive amounts. Subtract Lines 12, 15 or 17b if negative amounts.	\$0.00	\$125.99	
19	SSA Title II benefits paid for the benefit of the child Line 2a for obligor		\$0.00	
20	Total monthly child support obligation less any SSA Title II benefits paid for the benefit of the child Line 18 minus Line 19 (amount may be negative)	\$0.00	\$125.99	
H	Cash Medical Support	Father	Mother	Combined
21	Enter number of children from Line 13 not covered by health insurance. If none, skip to Line 26.	0		
22	Enter the Soonercare or other health care government assistance applicant for the child(ren) in this case. Enter "Father", "Mother", or "other".			

APPROVED AS TO FORM:

	
Father printed name	Father signature
<u>Katherine Lewis</u>	<u>Katherine 22208</u>
Attorney for father printed name	Attorney for father signature and OBA Number
	
Mother printed name	Mother signature
<u>Benjamin Aycock</u>	<u>Ben Aycock # 21472</u>
Attorney for mother printed name	Attorney for mother signature & OBA Number
Other Custodian printed name	Other Custodian signature
Attorney for Other Custodian printed name	Attorney for Other Custodian signature and OBA Number
State's Attorney, OCSS printed name	State's Attorney, OCSS signature and OBA Number