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TRANSLATION OF DIVORCE DECREE

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Böblingen District Court  
Court of Family Affairs  
PO Box 116C, 71001 Böblingen  
Steinbeisstrasse 11, 71034 Böblingen  
Telephone 07031/13-02  
Telefax 134999

CASE NUMBER 13F 1314/99

Date of Pronouncement: 23 March 2000  
Records Clerk for branch office: Köpf Just. Ang.

IN THE NAME OF THE PEOPLE:  
JUDGEMENT

In the Matter of:

Andrea Scheerer, nee Scheerer,  
Born 21 July 1970 in Böblingen,  
Residing at: Stuttgarterstrasse 7/2, 71116  
Applicant

Whose Legal Representation is: Attorneys Schabinger & Kreutzfeldt  
Poststrasse 14, 71032 Böblingen

Versus

Germar Scheerer nee Rudolf,  
Born 29 October 1964 in Limburg / Lahn,  
Whose mailing address is: PO Box 118, Hastings, East Sussex, TN 34 3 ZQ,  
Respondent,

Whose Appointed Agent is: Frau Ursula Johanna Rudolf,  
Marathonstrasse 7, 42857 Remscheid,

Cause: Divorce

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Other agencies to be informed of this proceeding:

Böblingen Juvenile Affairs Office, Herrenberg Branch  
Berlinerstrasse 1, 71083 Herrenberg  
Reference: 51 H 1104 M 244 / 93

Federal Insurance Agency for Public Employees  
Insurance Policy: 63 210770 S 598, Andrea Scheerer

Federal Insurance Agency for Public Employees  
Insurance Policy : 51 291064 R 021, Germar Scheerer

Concerning the oral hearing of 21 August 2000, The Böblingen District Family Court ,  
District Judge Herr presiding, has declared the following to be

LEGALLY BINDING:

1. The marriage of the parties listed above, which took place before the Holzgerlingen County Court on 20 May 1994, is hereby dissolved.
2. Parental custodianship for the children of this marriage, Tamara Alena, born 14 September 1994, and Kay Arian Ranko, born 31 January 1996, is granted to the Applicant.
3. Retirement fund payments in the amount of 27.73DM monthly shall be deducted from the Applicant's account with the Federal Insurance Agency for Public Employee, Policy Number 63 210770 S 598, Andrea Scheerer, and paid into the Respondent's account with the Federal Insurance Agency for Public Employee, Policy Number 51 291064 R 021, Germar Scheerer. The monthly amount of retirement fund payments shall be converted into compensation points.
4. Court costs shall not be assessed upon either party.

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Statement of Facts and Reasons for this Decree:

1.

The parties formed this marriage in Holzgerlingen County Court on 20 May 1994.  
They are both citizens of Germany.

The parties agree that their marriage has ended and they both desire a divorce. They have lived separated from each other since at least January 1999 and they decline to resume a conjugal relationship with each other.

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The applicant has petitioned to end the marriage and the respondent has agreed.

The applicant has been questioned in accordance with the rules governing divorce, as given in Paragraph 613 of the Rules of Civil Procedure.  
For her testimony, we refer to the transcript in the record of her oral hearing.

The request for dissolution of this marriage is authentic and well founded.

This marriage can be dissolved according to Paragraph 1565 Section 1 of the German Civil Legal Code (Bürgerliches Gesetz Buch, BGB) because the conjugal relationship no longer exists.

We assume the conjugal relationship has ceased to exist when commonality of life for the two parties no longer exists and we can no longer expect that it will be re-established. From its interviews with both parties, the Court is convinced that these conditions prevail.

Since the parties have lived separately for longer than one year, as required by Paragraph 1567 of the German Civil Legal Code, the provisions for other grounds for divorce, as provided in Section 2, Paragraph 1565 of the German Civil Legal Code, do not apply. Therefore, this marriage was dissolved on basis of the present request.

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2.

As part of the present request was in connection with the divorce request of the applicant, according to Section 1671, Subsection 1 and 2, Paragraph 1 of the German Civil Legal Code, the parental custody of the children, to wit

Tamara Alena, born 14 September 1994, and  
Kav Arian Ranko, born am 31 January 1996,

is granted to applicant.

The respondent is in agreement with the decision regarding custody of children. Therefore, there was no occasion for a custody decision which would be at variance with the agreement regarding custody as prescribed in Section 1671, Subsection 3 of the Civil Legal Code.

The Department of Juvenile Affairs was advised of the divorce proceedings in accordance with Section 50 of Social Legal Code (Sozialgesetzbuch, SGB) VIII.

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For purposes of determining alimony, the period of marriage shall be from 1 May 1994 until 30 November 1999.

In reference to Section 1587 Subsection 2 of the German Civil Legal Code: Initiation of Marriage was 20 May 1994. Initiation of Application for Divorce was 1 December 1999.

During this period, both parties accumulated federal retirement insurance credits. (Section 1587a, Subsection 2, Paragraph 2 of the German Civil Legal Code. Specifically, the applicant in the amount of 159.29 DM per month (refer to Guide of Federal Insurance Office for Government Employees, of 29 June 2000. The respondent accumulated credits in the amount of 103.84 DM per month beginning 28 April 2000.

Accordingly a total claim for the applicant exists in the amount of 159.29 DM

Total claim for the respondent is 103.84 DM per month.

The difference amounts to 55.45 DM.

Corresponding to Section 1587a Subsection 1 of Civil Legal Code, half of the amount of difference shall be compensation in favor of the respondent, that is 27.73 DM.

This differential is achieved by way of the splitting, according to Section 1587 Subsection 1 of Civil Legal Code, by way of carryover of retirement claim of official retirement insurance in amount of 27.73 DM per month.

The allowance of the calculation, of the retirement insurance beneficiary described above, in compensation points, is decreed according to Section 1587b Subsection 6 of Civil Legal Code.

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4.

The allowance for cost is based upon Section 93. A. of Guide to Civil Procedure.

Judge Herr of District Court

Issued at Böblingen on 24<sup>th</sup> August 2000 by  
Documents Clerk for Business Office,

Köpf, Just. Ang.  
(Official Seal)



TRANSLATOR'S AFFIDAVIT:

I CERTIFY THAT I POSSESS EXPERT COMPREHENSION OF BOTH THE ENGLISH AND GERMAN LANGUAGES AND THAT THE ABOVE IS A TRUE AND ACCURATE TRANSLATION.

J. M. Damon, MA, The University of Texas at Austin  
12 November 2000