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CCS ENTRY FORM
LAKE SUPERIOR COURT
ROOM NUMBER THREE

2008 080033

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LAKE SUPERIOR COURT
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MICHAEL BROWN
RECORDS SUPERIOR COURT

CAUSE NO. 45DO3-0503-DR-00288-KDH

TITLE: IN RE THE MARRIAGE OF CINDY MATONE
AND KENNETH L. MATONE

The activity of the Court should be summarized as follows on the Chronological Case Summary (CCS)

Parties, by counsel, file proposed Court Order of August 19, 2008 and Wage Withholding Order.
ENTER. OPF.

MELANIE M. STERBA, STERBA & SWOPE, LLP, Attorney No. 10706-45
425 West Lincoln Hwy., Schererville, IN 46375, 219-865-7400
Attorney for Petitioner

NICK A. PERKO, III
3037-45TH Avenue, Suite 6
Highland, IN 46322
Pauper Counsel for Respondent

Kenneth L. Matone
9018 West 89th Avenue
St. John, IN 46373
Respondent

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(TO BE DESIGNATED BY THE COURT)

This CCS Entry Form shall be:

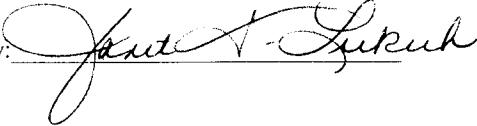
- Placed in case file
 - Discarded after entry on the CCS
 - Mailed to all counsel by: _____ Counsel _____ Clerk _____ Court
 - There is no attached order; or
- The attached order shall be placed in the RJO: Yes _____ No _____

DATE: SEP 12 2008 APPROVED:  MAGISTRATE
JUDGE

CERTIFICATE OF SERVICE

I certify that on the 5th day of Sept, 20 08 service of a true and complete copy of the above and foregoing pleading or paper was made upon each party or attorney of record herein by depositing the same in the United States Mail in envelopes properly addressed to each of them and with sufficient first class postage affixed.

MELANIE M. STERBA

By: 

es
26
j33

STATE OF INDIANA)
)SS:
COUNTY OF LAKE)

IN THE LAKE SUPERIOR COURT
ROOM NUMBER THREE
SITTING AT GARY, INDIANA
Filed in Open Court
SEP 19 2008

IN RE THE MARRIAGE OF:)
)
CINDY MATONE,)
Petitioner,)
)
and)
)
KENNETH L. MATONE,)
Respondent.)

Melanie M. Sterba
SUPERIOR COURT OF LAKE COUNTY
CIVIL DIVISION, COURT ROOM 3

CAUSE NO: 45DO3-0503-DR-00288-KDH

COURT ORDER OF AUGUST 19, 2008

Comes now the Petitioner, Cindy Matone, in Court in person and by counsel, Melanie M. Sterba of Sterba & Swope, LLP, and the Respondent, Kenneth L. Matone, in Court in person pro-se, for hearing on Petitioner's Verified Petition for Rule to Show Cause filed on March 27, 2008, Petitioner's Amended Verified Petition for Rule to Show Cause filed April 24, 2008, Petitioner's Petition for Modification filed May 8, 2008, Petitioner's Motion for Relief from Judgment filed June 12, 2008 and Petitioner's Verified Notice of Intent to Relocate Pursuant to Indiana Code §31-17-2.2.

Petitioner requests that Pauper Counsel be appointed and same is hereby granted. Attorney Nick A. Perko, III is hereby appointed. A recess is taken so that Respondent may speak with his attorney. After having spoken with his counsel, the court hearing resumes. Witnesses are sworn, testimony is taken and concluded and the Court, having been duly advised in the premises, now finds and Orders as follows:

1. Petitioner's Motion for Relief from Judgment is hereby granted. Respondent committed a fraud upon this Court and misrepresented his financial circumstances.
2. The Decree of Dissolution term for Respondent's child support obligation is

hereby reinstated and the Court's Order of Modification of March 18, 2008 as to child support modification is hereby rescinded. Respondent is responsible for paying child support in the amount of Three Hundred Sixty-Six and 96/100 Dollars (\$366.96) per week from the date of the Decree of Dissolution to today's date.

3. The Order of Modification of March 18, 2008 reduced Respondent's child support from Three Hundred Sixty-Six and 96/100 Dollars (\$366.96) per week to One Hundred Forty-Six Dollars (\$146.00) per week, and with the reinstatement of the previous child support Order, this creates an arrearage of Two Hundred Twenty and 96/100 Dollars (\$220.96) per week. From December 6, 2007 through August 14, 2008, a child support arrearage was created from this reinstatement in the amount of Eight Thousand One Hundred Seventy-Five and 52/100 Dollars (\$8,175.52). Respondent was previously found in arrears of his child support obligation the amount of Seven Thousand Nine Hundred Nineteen and 80/100 Dollars (\$7,919.80) in the Order of Modification of March 18, 2008. On April 30, 2008 Respondent was found to have accrued additional arrearages in the amount of One Thousand Five Hundred Forty-Seven Dollars (\$1,547.00). Since April 30, 2008, Respondent has reduced the child support arrearage by Nine Hundred Twenty Dollars (\$920.00). Combining the arrearages of Eight Thousand One Hundred Seventy-Five and 52/100 Dollars (\$8,175.52), Seven Thousand Nine Hundred Nineteen and 80/100 Dollars (\$7,919.80) and One Thousand Five Hundred Forty-Seven Dollars (\$1,547.00) and providing credit for payments of Nine Hundred Twenty Dollars (\$920.00) there is a total child support arrearage, as of August 14, 2008, of Sixteen Thousand Seven Hundred Twenty-Two and 32/100 Dollars (\$16,722.32).

4. Respondent is hereby found in contempt for not providing documentation to Petitioner's counsel of his job search after he was Ordered to do so.

Dollars (\$1,200.00) on or before September 19, 2008. Said attorney fee amount is reduced to judgment.

9. The provisions of the prior Court Orders which are not in conflict with this Court's ruling today, shall remain in full force and effect.

10. The Court reserves ruling on the issue of Petitioner's request for attorney fees, reimbursement of discovery costs and reimbursement of lost pay of the Petitioner.

11. Respondent has indicated that he is not sure he is going to dispute Petitioner's relocation to Illinois with the parties' minor children.

12. Attorney Nick A. Perko, III is hereby discharged but remains responsible for approving this Court's Order as to this hearing.

ALL OF WHICH IS ORDERED this _____ day of _____, 2008.

Kristen D. Hill
KRI~~STEN~~ D. HILL, MAGISTRATE
LAKE SUPERIOR COURT
ROOM NUMBER THREE

Elizabeth F. Tavitias
ELIZABETH F. TAVITAS, JUDGE
LAKE SUPERIOR COURT
ROOM NUMBER THREE

SEP 19 2008

Approved as to Form:

Melanie M. Sterba
Melanie M. Sterba, Attorney No. 10706-45
Attorney for Petitioner
Sterba & Swope, LLP
425 W. Lincoln Highway
Scherville, IN 46375
(219) 865-7400

Nick A. Perko, III
Nick A. Perko, III
Attorney for Respondent
3037 - 45th Avenue
Highland, IN 46322
(219) 922-1818

Distribution: Melanie M. Sterba
Nick A. Perko, III

STATE OF INDIANA)
)SS:
COUNTY OF LAKE)

IN THE LAKE SUPERIOR COURT
ROOM NUMBER THREE
SITTING AT GARY, INDIANA

Filed in Open Court

SEP 19 2008

Clayton W. Jones
SUPERIOR COURT OF LAKE COUNTY
CIVIL DIVISION, COURT ROOM 3

IN RE THE MARRIAGE OF:)
)
CINDY MATONE,)
Petitioner,)
)
and)
)
KENNETH L. MATONE,)
Respondent.)

CAUSE NO: 45DO3-0503-DR-00288-KDH

**NOTICE OF WAGE WITHHOLDING ORDER TO
THE EMPLOYERS OF KENNETH L. MATONE (SS#XXX-XX-2383)
PURSUANT TO I.C. 31-16-5-1**

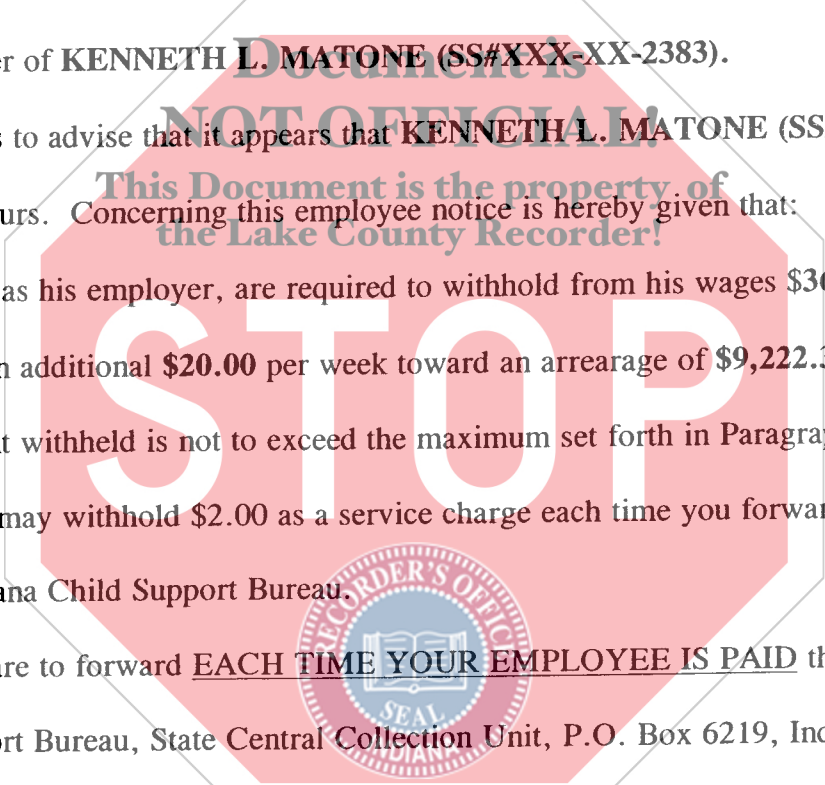
The Court finds that an income withholding order should be activated in order to pay child support. In conjunction therewith, this Court issues the following notice and order to any present or subsequent employer of **KENNETH L. MATONE (SS#XXX-XX-2383)**.

This notice is to advise that it appears that **KENNETH L. MATONE (SS#XXX-XX-2383)** is an employee of yours. Concerning this employee notice is hereby given that:

1. You, as his employer, are required to withhold from his wages **\$366.96** per week as child support plus an additional **\$20.00** per week toward an arrearage of **\$9,222.32** until same is paid in full. The amount withheld is not to exceed the maximum set forth in Paragraph 6 of this Order. At your option you may withhold \$2.00 as a service charge each time you forward the income that is withheld to the Indiana Child Support Bureau.

2. You are to forward **EACH TIME YOUR EMPLOYEE IS PAID** the above sums to: Indiana Child Support Bureau, State Central Collection Unit, P.O. Box 6219, Indianapolis, IN 46202-6219. Each payment should indicate it is for cause **45DO3-0503-DR-00288-K DH** and the person receiving payment is **Cindy Matone, 556 Hackberry, Frankfort, IL 60423**.

3. This withholding order is binding upon you until further order of this Court. Your employee may recover from you in a civil action an amount of not less than \$100.00 if you were to



8. If your employee becomes entitled to severance pay, accumulated sick pay or vacation pay at any time while this support order is in effect you shall withhold from those amounts the appropriate weekly amount of support including arrearage installments that said lump sum represents.

9. You must notify this Court within ten (10) days of the employee's terminating his employment with you and at that time shall supply the Court with the last known address of your employee, that being whatever address he gives you for forwarding any future employment benefits and, if known to you, the name and address of any new employer of that employee. That notice should be mailed to Lake Superior Court, 15 W. 4th Avenue , Gary, IN 46402 and should contain on it the cause of this case which is **In Re the Marriage of Cindy Matone and Kenneth L. Matone Cause No. 45DO3-0503-DR-00288-KDH.**

10. If **Kenneth L. Matone** is NOT an employee of yours, you must send written notice to this Court as set out in Paragraph 9 and send a copy of that notice to Melanie M. Sterba at 425 W. Lincoln Highway, Schererville, Indiana 46375 indicating such fact. That notice should indicate when such person last worked for you and the facts concerning his termination (i.e., quit, layoff, fired, etc.) and any information you have concerning his present employment or address.

This notice/order is given pursuant to Indiana Code 31-2-10-12

SO ORDERED this _____ day of _____, 20

FOUND AND RECOMMENDED:



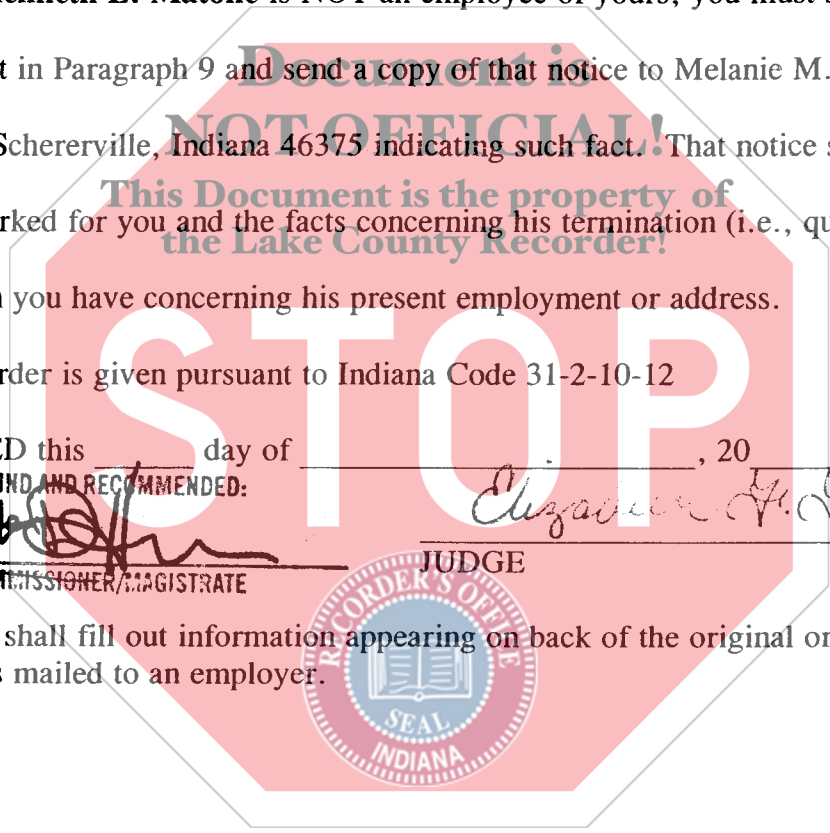
COMMISSIONER/MAGISTRATE



JUDGE

SEP 19 2008

NOTE: Clerk shall fill out information appearing on back of the original order EACH time a copy of this Order is mailed to an employer.



DATE MAILED

NAME AND ADDRESS
OF EMPLOYER MAILED TO

SIGNATURE OF
DEPUTY MAILING

SPECIALTY CRATE FACTORY

ATTN: PAYROLL

3320 HOLEMAN AVENUE

STEGER, IL 60475





OFFICE OF THE LAKE COUNTY RECORDER

LAKE COUNTY GOVERNMENT CENTER
2293 NORTH MAIN STREET
CROWN POINT, INDIANA 46307

MICHAEL A. BROWN
Recorder

PHONE (219) 755-3730
FAX (219) 755-3257

MEMORANDUM

DISCLAIMER

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CUSTOMER INITIALS MB DATE: 11/24/08

EMPLOYEE INITIALS MB DATE: 11/24/08