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1999 SEP -1 PM 1:05

RICHARD R. ROOKER, CLERK

B Murray D.C.

IN THE SECOND CIRCUIT COURT FOR THE STATE OF TENNESSEE

20TH JUDICIAL DISTRICT, DAVIDSON COUNTY

JOSEPH ROY LUE

PLAINTIFF

vs.

DIANE LUE

DEFENDANT

DOCKET NO. 99D-144

FINAL DECREE

This cause came to be heard on the 26th day of August, 1999, before the **HONORABLE MARIETTA SHIPLEY** of the Second Circuit Court for Davidson County, Tennessee, on the Complaint for Divorce filed by the Plaintiff. A default judgment was previously granted to the Plaintiff on the 18th day of June, 1999. The Defendant DIANE LUE was duly noticed and failed to appear. Upon hearing testimony of Plaintiff, statements of Counsel for the Plaintiff, testimony of witnesses and upon the record as a whole, the Court finds that the Plaintiff shall be awarded a divorce on the grounds of Wife's inappropriate marital conduct.

The Wife has abandoned her family, taken marital monies with her totaling approximately $ 38,000.00, and has gone to China. She will not disclose her location to Plaintiff Husband and has left no forwarding address. Prior to leaving, she failed to attend the court ordered parenting seminar, and engaged in a pattern of abuse against the Plaintiff Husband and the child. She called the police to the marital home numerous times to humiliate her Husband and falsely accused him of misconduct. The Wife has threatened the Husband numerous times that she will take the child to China and keep the child away from the Husband. Further, she has wrongfully taken the child out of school on several occasions, and mentally abused the child with false accusations against the Husband.

The Court finds that the Husband is a fit and proper person to have full custody of the minor child of the parties and has attended the required parenting seminar. The Court finds that the two injunction and restraining orders previously ordered by this Court shall remain in full force and effect as permanent orders of this Court: the Wife shall not interfere with the Husband's peaceful possession of the parties' minor child and the Wife shall not remove the child from the United States of America, State of Tennessee, or school without the Husband's

written consent or an Order of this Honorable Court. Visitation shall be reserved until such time as the Wife shall take the required parenting seminar, she applies to this Court for visitation, and she proves to the Court that she is a fit and proper person to have visitation with the minor child. Child support is reserved at this time because it would appear that the Wife may not be employed at this time and may not be employable. The Husband shall carry medical insurance on the minor child and pay any medical expenses not covered by said insurance.

In compliance with Tennessee law, the Husband duly notifies this Court of his intention to move from Davidson County after one year has elapsed. He plans to retire and move at that time. The Court duly approves this move with the minor child, conditioned upon his filing a notice of change of address with the Court.

The Husband shall pay any and all joint marital bills incurred during the term of this marriage, which at this time total approximately $ 19,300.00. Further, the Wife DIANE LUE shall be divested of all right, title and interests to the 1997 Mitsubishi Galant and a 1990 White Ford station wagon (Vin # 3FAPP15J9MR105505). Further, the Wife DIANE LUE, a/k/a WAN RANG DAI, shall be divested of all right, title and interests to the marital home located at 4433 Dowdy Drive, Antioch, Tennessee and all furniture, possessions and belongings in the marital home. The Wife shall retain the IRA proceeds presently in her possession ($ 38,000.00), and shall hold the Husband harmless for any liabilities for the taxes due from any distribution to her thereon. The Husband shall retain the IRA and retirement funds presently in his name ($ 74,000.00), and shall hold the Wife harmless for any liabilities for the taxes due from any distribution to him thereon.

The Court duly notes that the Wife has been served by the Sheriff of Davidson County, that she has received legal advise from a Davidson County attorney, that the Wife failed to cooperate with said attorney, and thus, the attorney did not represent her in these proceedings, that the Wife failed to file an Answer or participate in any way in these legal proceedings, that she cashed in the 401K listed in her name without the consent of the Husband, that she abandoned her Husband and minor child to live in China, and that she has made no request of this Court to consider any claim of alimony or support of any kind. This Court shall reserve the payment of alimony to the Wife.

It is, therefore, **ORDERED, ADJUDGED AND DECREED** that the findings of fact and conclusions of law itemized above are hereby approved and made an **ORDER** of this Court.

It is, therefore, **ORDERED, ADJUDGED AND DECREED** that the Plaintiff, JOSEPH ROY LUE, is hereby awarded an absolute divorce from the Defendant, DIANE LUE, on the grounds of inappropriate marital conduct and is hereby restored to all of the rights and privileges of an unmarried person.

It is, therefore, **ORDERED, ADJUDGED AND DECREED** that the Husband shall have full custody of the minor child, Richard William Lue, d/o/b 1/15/87. Said minor child shall live and reside with the Husband.

It is, therefore, **ORDERED, ADJUDGED AND DECREED** that the Husband shall maintain medical insurance coverage on the minor child. The Husband shall pay for any medical expenses uncovered by said insurance. Child support is reserved at this time because it would appear that the Wife may not be employed at this time and may not be employable.

It is, therefore, **ORDERED, ADJUDGED AND DECREED** that the Court duly approves the Husband's plan to relocate with the minor child, conditioned upon his filing a notice of change of address with the Court.

It is, therefore, **ORDERED, ADJUDGED AND DECREED** that all injunction and restraining orders which are presently in effect shall become the permanent order of this Honorable Court:

1. That DIANE LUE, a/k/a WAN RANG DAI, shall not interfere with the Husband's peaceful possession and control of the minor child RICHARD WILLIAM LUE, and the Wife shall not remove the minor child RICHARD WILLIAM LUE from the United States of America, and from the State of Tennessee, without the Husband's written consent or an Order of this Honorable Court;

2. That DIANE LUE, a/k/a WAN RANG DAI, shall not remove the minor child RICHARD WILLIAM LUE from school without the Husband's written consent or an Order of this Honorable Court.

It is, therefore, **ORDERED, ADJUDGED AND DECREED** that visitation shall be reserved at this time, until such time as the Wife shall take the required parenting seminar, she

applies to this Court for visitation, and she proves to the Court that she is a fit and proper person to have visitation with the minor child.

It is, therefore, **ORDERED, ADJUDGED AND DECREED** that all right, title, and interest of the Wife to a 1997 Mitsubishi Galant, and a 1990 White Ford station wagon (VIN # 3FAPP15J9MR105505) shall be divested from the Wife and fully vested in the Husband and the Husband shall hold the Wife harmless for any liabilities thereupon.

It is, therefore, **ORDERED, ADJUDGED AND DECREED** that all right, title, and interest of DIANE LUE, also known as Wife of Joseph Roy Lue: Wan Rang Dai, in the marital home located at 4433 Dowdy Drive, Antioch, Tennessee, is divested from DIANE LUE, also known as Wife of Joseph Roy Lue: Wan Rang Dai, and is fully vested in JOSEPH ROY LUE, subject to any and all mortgages, restrictions, easements, and liens of record; said property in Davidson County is described as follows, to-wit:

> BEING Lot No. 102 on the plan of Hazelwood, Section 16, of record in Book 5060, page 70, Register's Office for said County, to which plan reference is hereby made for a more complete and accurate legal description.
>
> Being the same property conveyed to Joseph Roy Lue and wife, Wan Rang Dai and John Lau, of record in Book 7072, Page 634, Register's Office Davidson County, Tennessee.
>
> Subject to restrictions of record in Book 4562, page 138 and in Book 5137, page 701 said Register's Office.
>
> This conveyance is subject to any and all existing easements of record.

This is improved property known as 4433 Dowdy Drive, Antioch, Tennessee 37013. The map and parcel numbers are 148-12-0; 234.00; 02DU15683.

It is, therefore, **ORDERED, ADJUDGED AND DECREED** that the Husband is awarded the household furniture, appliances, personal property, and all property in the marital home.

It is, therefore, **ORDERED, ADJUDGED AND DECREED** that the Husband shall pay the joint marital bills:

$ 227.00	Dr. Nicolai Y. Foong
$ 40.00	Dr. Babajide Bamigboye
$ 170.00	SmithKline Beecham Clinical Lab (balance due after insurance pays)
$ 1,500.00	Master Card # 5490-9905-6984-3897
$ 3,694.28	Visa # 4339-0990-0450-1736
$13,621.00	TVA Employees Credit Union

It is, therefore, **ORDERED, ADJUDGED AND DECREED** that each party presently has possession of the IRA's and retirement accounts to which that party is rightfully entitled and the other party has no rights, title or interest to such IRA's or retirement accounts held in the other party's name as of the date of this agreement.

It is, therefore, **ORDERED, ADJUDGED AND DECREED** that the Husband shall be fully responsible for all taxes and penalties due from withdrawals on the IRA and retirement accounts listed in his name and the Husband shall hold the Wife harmless for any liabilities thereupon.

It is, therefore, **ORDERED, ADJUDGED AND DECREED** that the Wife shall be fully responsible for all taxes and penalties due from withdrawals on her IRA account listed in her name and the Wife shall hold the Husband harmless for any liabilities thereupon.

It is, therefore, **ORDERED, ADJUDGED AND DECREED** that this Court reserves the payment of alimony to the Wife.

It is **ORDERED, ADJUDGED AND DECREED** that the final costs of this cause shall assessed against the Husband Joseph Roy Lue, for which execution may issue, if necessary.

This, the 1 day of September, 1999.

JUDGE MARIETTA SHIPLEY

APPROVED FOR ENTRY:

ELLEN TAYLOR TURLEY, #11715
Attorney for Joseph Roy Lue
2620 Old Lebanon Road
Nashville, TN 37214
(615) 889-5350
Fax: (615) 391-5866

Email

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document has been mailed to Joseph Roy Lue, 4433 Dowdy Drive, Antioch, TN 37013 and Diane Lue (last known address), 4433 Dowdy Drive, Antioch, TN 37013, on this 26 day of Aug., 1999.

ELLEN TAYLOR TURLEY

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CHILD SUPPORT STATISTICAL INFORMATION

CASE NO. _____

FAILURE TO APPROPRIATELY UPDATE THIS INFORMATION OR GIVING FALSE INFORMATION COULD LEAD TO BEING CITED FOR CONTEMPT OF COURT OR HAVING A DEFAULT JUDGMENT ENTERED AGAINST YOU. *It is further ordered by the Court that both parties update the following information with any changes within 10 days of the change to the CIRCUIT COURT CLERK, 506 METRO COURTHOUSE, NASHVILLE TN 372*

FILED
1999 AUG 27 PM 2:00
RICHARD R. ROOKER, CLERK
BY _____

Father's Information

Full Name: Lue (Last) Joseph (First) Roy (Middle)

Residential Address: 4433 Dowdy Drive (# and Street) (Apt. #)
Antioch (City) TN (State) 37013 (Zip Code)

SSN: 408 - 29 - 3523

Phone: (615) 834 - 8381

Birthdate: 04 / 19 / 31

Birthplace:

Mailing Address: (if different from above) _____ (# and Street) (Apt. #)
_____ (City) (State) (Zip Code)

City: _____

State: Jamaica

Drivers License # 53351492

Employer's Name: I.C. Thomasson Association

Employer's Address: 2120 8th Avenue South
Nashville, TN 37204

Phone: (615) 383 - 6821

Health Insurance Company: ACEC

Health Insurance Address: P.O. Box 9007
St. Louis, MO 63101-9007

Available through Employer?
(X) Yes) ( ) No

Cost to Employee (if any):
$ _____

Mother's Information

Full Name: Lue (Last) Diane (First) (Middle)

Residential Address: 4433 Dowdy Drive (# and Street) (Apt. #)
Antioch, TN 37013 (City) (State) (Zip Code)

SSN: 411 - 43 - 9445

Phone: ( ) _____ - _____

Birthdate: 05 / 27 / 48

Birthplace:

Mailing Address: (if different from above) _____ (# and Street) (Apt. #)
_____ (City) (State) (Zip Code)

City: China

State: _____

Drivers License # _____

Employer's Name: None

Employer's Address: _____
_____

Phone: ( ) _____ - _____

Health Insurance Company: _____

Health Insurance Address: _____
_____

Available through Employer?
( ) Yes) ( ) No

Cost to Employee (if any):
$ _____

Children(s) Information

(1) Child's Full Name: Lue (Last) Richard (First) William (Middle)

SSN: 415 - 63 - 4359

Residential Address: 4433 Dowdy Drive
Antioch, TN 37013

Birthdate: 01 / 15 / 87

(2) Child's Full Name: _____ (Last) (First) (Middle)

SSN: _____ - _____ - _____

Residential Address: _____
_____

Birthdate: _____ / _____ / _____

(3) Child's Full Name: _____ (Last) (First) (Middle)

SSN: _____ - _____ - _____

Residential Address: _____
_____

Birthdate: _____ / _____ / _____

(4) Child's Full Name: _____ (Last) (First) (Middle)

SSN: _____ - _____ - _____

Residential Address: _____
_____

Birthdate: _____ / _____ / _____

STATE OF TENNESSEE

I, RICHARD R. ROOKER, Clerk of the Circuit Court for Davidson County, in the State aforesaid, do hereby certify that the foregoing is a true and correct copy of the Order heretofore entered in the SECOND Circuit Court for Davidson County, Tennessee, on the 01 day of SEPTEMBER , 19 99 , in the Case Number 99D144 between LUE, JOSEPH ROY Plaintiff, and LUE, DIANE Defendant, as same remains of record in Vol. 802 , Page 147075 of the Minutes of said Court.

IN TESTIMONY WHEREOF, I hereunto subscribe my name and affix the seal of said Court, at office, in Nashville, the 17 day of SEPTEMBER in the year one thousand nine hundred and ninety-nine and in the 224th year of American Independence.

SEAL

RICHARD R. ROOKER, Clerk,

By Jenny Campion
Deputy Clerk

MAIL ENV.

99 SEP 29 PM 3:08

FILED
DAVIDSON COUNTY, TN.
REGISTER

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REFERENCE

0314 09/29 0101 030CHECK 30.00