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公 证 书

中华人民共和国上海市公证处

中华人民共和国
上海市徐汇区人民法院
民事调解书

（2005）徐民一（民）初字第4883号

原告马骥，女，1969年2月24日出生，汉族，现在美国。

委托代理人夏静怡（母女关系），女，1942年6月7日出生，汉族，住上海市宜川路670号2009室。

委托代理人戴智娟，上海雷曼律师事务所律师。

被告徐军，男，1968年1月4日出生，汉族，住上海市肇嘉浜路269弄1号1902室。

案由：离婚纠纷

原、被告于1994年11月自行相识恋爱，1996年3月13日在上海市徐汇区民政局登记结婚，1999年11月11日育一子名徐相城。1996年10月原告前往美国进修。1997年12月原告返回上海。2002年10月原告再次前往美国，2003年12月被告前往美国探亲，在美国期间感情已经淡漠。二周后被告回国。双方分居至今。审理中，被告同意离婚，双方就离婚协商达成一致意见。

本案在审理过程中，经本院主持调解，双方当事人自行达成如下协议：

一、原告马骥与被告徐军自愿离婚；

二、双方所生之子徐相城随原告马骥共同生活，被告徐军自2006年1月起每月支付抚育费人民币1600元，至徐相城年满十八周岁止；

三、现在原、被告双方名下的上海市肇嘉浜路269弄1号1902室房产归被告徐军所有，贷款余额由被告徐军偿还；

四、现在原、被告双方名下的美国田纳西州纳什维尔市杰弗逊广场130号（130 Jefferson Square, Nashville, Tennessee, USA）房产归原告马骥所有，贷款余额由原告马骥偿还；

五、被告徐军支付2002年至2005年的抚育费人民币共9万元，于2006年6月30日前、2007年6月30日前、2008年6月30日前各支付人民币3万元；

六、原告马骥与被告徐军无其他共同财产、债权等纠葛，个人债务由各自偿还；

案件受理费人民币8050元，由原告马骥负担人民币5050元，被告徐军负担人民币3000元。

上述协议，符合有关法律规定，本院予以确认。

本调解书经双方当事人签收后，即具有法律效力。

审　判　长　高　平

审　判　员　施建国

人民陪审员　江丽钧

二〇〇五年十二月十五日

书　记　员　孙俊俊

公　　证　　书

(2005)沪证外字第 57070 号

兹证明前面的复印件内容与马骥的（2005）徐民一（民）初字第 4883 号《中华人民共和国上海市徐汇区人民法院民事调解书》原件相符，原件上“上海市徐汇区人民法院”的印章属实。

中华人民共和国上海市公证处

公 证 员

二〇〇五年十月二十九日

XW04918464

Translation

THE PEOPLE'S REPUBLIC OF CHINA
SHANGHAI XUHUI DISTRICT PEOPLE'S COURT

CIVIL CONCILIATION STATEMENT

(2005) X. M. Y. (M.) C .Z. No. 4883

Petitioner: MA Ji, female, born on February 24, 1969, Han nationality, now residing in the U.S.
Authorized agent: XIA Jingyi (mother and daughter relation), female, born on June 7, 1942, Han nationality, residing at Room 2009, No. 670, Yichuan Road, Shanghai.
Authorized agent: DAI Zhijuan, lawyer of Shanghai Leiman Law Firm.
Respondent: XU Jun, male, born on January 4, 1968, Han nationality, residing at Room 1902, No. 1, Lane 269, Zhao Jia Bang Road, Shanghai.
Cause of action: divorce dispute

The petitioner and the respondent knew each other by themselves and were fall in free love in November 1994. They were registered marriage at Shanghai Xuhui District Civil Affairs Bureau on March 13, 1996 and had a son named XU Xiangcheng on November 11, 1999. In October 1996, the petitioner went to the U.S. for further education, and in December 1997, the petitioner returned to Shanghai. In October 2002, the petitioner went to the U.S. again, and in December 2003 the respondent went to the U.S. to visit her. During the period in the U.S., their affection became indifferent. Two weeks later, the respondent returned to China. And the two parties have lived apart till now. During hearing, the respondent agreed to divorce, and the two parties have reached the unanimous opinion on the divorce through consultation.

During hearing process of this case, after mediation presided by this court, the two parties have voluntarily reached following agreement:

1. The petitioner MA Ji and the respondent XU Jun are divorced voluntarily;
2. The two parties' son XU Xiangcheng shall live with the petitioner MA Ji, and the respondent shall pay 1,600yuan per month as support expenses since January 2006 until XU Xiangcheng is 18 years old;
3. The house property located at Room 1902, No. 1, Lane 269, Zhao Jia Bang Road, Shanghai under the name of the petitioner and the respondent shall belong to the respondent XU Jun, and the remaining loan shall be repaid by the respondent XU Jun;

4. The house property located at 130 Jefferson Square, Nashville, Tennessee, USA under the name of the petitioner and the respondent shall belong to the petitioner MA Ji, and the remaining loan shall be repaid by the petitioner MA Ji;
5. The respondent XU Jun shall pay 90,000yuan as the support expenses 2002 to 2005, making respective payment of 30, 000yuan prior to June 30, 2006, June 30, 2007, and June 30, 2008.
6. The petitioner MA Ji and the respondent XU Jun have no other community properties, debts, or other dispute; their individual debts shall be repaid by themselves respectively;

For the court acceptance fee of 8,050yuan, the petitioner MA Ji shall bear 5,050yuan and the respondent XU Jun shall bear 3,000yuan.

The court has confirmed that the above agreement is in accordance with relevant law.
This conciliation statement has legal effect after signed by the two parties.

Chief judge: GAO Ping
Judge: SHI Jianguo
People's Juryman: JIANG Lijun
Shanghai Xuhui District People's Court (Seal)
Dated: December 15, 2005
Clerk: SUN Junjun

After check, this document is found in conformity with the original



Translation

NOTARIAL CERTIFICATE

(2005)H.Z.W.Z. No. 57070

This is to certify that the foregoing photocopy is the same as the original (2005) X.M.Y.(M.) C.Z. No. 4883 Civil Conciliation Statement of Shanghai Xuhui District People's Court of the People's Republic of China for MA Ji and that the seal of Shanghai Xuhui District People's Court affixed to the original copy is genuine.

ZHENG Jianjun (Seal)

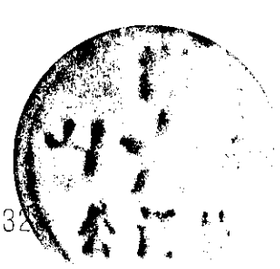
Notary Public

The People's Republic of China

Shanghai Notary Public Office

(Seal)

Dated: December 29, 2005



公　　证　　书

(2005)沪证外字第 57071 号

兹证明前面的英文译本内容与马骥的(2005)沪证外字第 57070 号公证书中文原本相符。

中华人民共和国上海市公证处

公　证　员

二〇〇五年十二月二十九日

/04918468

Translation

NOTARIAL CERTIFICATE

(2005)H.Z.W.Z. No. 57071

This is to certify that the foregoing English version is true and faithful to the original Notarial Certificate (2005) H.Z.W.Z. No. 57070 in Chinese for MA Ji.

ZHENG Jianjun (Seal)
Notary Public

The People's Republic of China
Shanghai Notary Public Office
(Seal)

Dated: December 29, 2005

