Karen Johnson Davidson County
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NO. 401-52891-2013

IN THE MATTER OF THE MARRIAGE OF	§	**IN THE DISTRICT COURT**
JULIE MICHELLE PICKETT AND LARRY EDWARD PICKETT, JR.	§	**401 JUDICIAL DISTRICT**
	§	**COLLIN COUNTY, TEXAS**

FINAL DECREE OF DIVORCE

On this day the Court heard this case.

Appearances

Petitioner, Julie Michelle Pickett, ~~**appeared in person and through her attorney of**~~ **record, Mark Heidenheimer, and announced ready for trial.**

Respondent, Larry Edward Pickett, Jr., appeared in person and through attorney of record, Howard Shapiro, and announced ready for trial.

Record

The record of testimony was duly reported by the court reporter for the ~~401~~ 401st Judicial District Court.

Jurisdiction and Domicile

The Court finds that the pleadings of Petitioner are in due form and contain all the allegations, information, and prerequisites required by law. The Court, after receiving evidence, finds that it has jurisdiction of this case and of all the parties and that at least sixty days have elapsed since the date the suit was filed.

The Court further finds that, at the time this suit was filed, Petitioner had been a domiciliary of Texas for the preceding six-month period and a resident of the county in which this suit was filed for the preceding ninety-day period. All persons entitled to citation were

properly cited.

Jury

A jury was waived, and questions of fact and of law were submitted to the Court.

Divorce

IT IS ORDERED AND DECREED that Julie Michelle Pickett, Petitioner, and Larry Edward Pickett, Jr., Respondent, are divorced and that the marriage between them is dissolved on the ground of insupportability.

Name Change of Petitioner

IT IS ORDERED AND DECREED that the legal name of Julie Michelle Pickett, Petitioner, is changed to Julie Michelle Newton.

Child of the Marriage

The Court finds that there is no **minor** child of the marriage of Petitioner and Respondent and that none is expected.

Division of Marital Estate

The Court finds that the following is a just and right division of the parties' marital estate, having due regard for the rights of each party:

Property to Husband

IT IS ORDERED AND DECREED that the husband, LARRY EDWARD PICKETT, JR., is awarded the following as his sole and separate property, and the wife is divested of all right, title, interest, and claim in and to that property:

1. The following real properties, including but not limited to any escrow funds, prepaid insurance, utility deposits, keys, house plans, home security access and

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code, garage door opener, warranties and service contracts, and title and closing document at: **967 Green Street, Portsmouth, Virginia, and 1301 Neely's Bend #D-31, Madison, Tennessee.**

2. All household furniture, furnishings, fixtures, goods, art objects, collectibles, appliances, and equipment in the possession of the husband or subject to his control.

3. All clothing, jewelry, and other personal effects in the possession of the husband or subject to this sole control.

4. All sums of cash in the possession of the husband or subject to his sole control, including funds on deposit, together with accrued but unpaid interest, in banks, savings institutions, or other financial institutions, which accounts stand in the husband's sole name or from which the husband has the sole right to withdraw funds or which are subject to the husband's sole control.

5. All sums, whether matured or unmatured, accrued or unaccrued, vested or otherwise, together with all increases thereof, the proceeds therefrom, and any other rights related to any profit-sharing plan, retirement plan, Keogh plan, pension plan, employee stock option plan, 401(k) plan, employee savings plan, accrued unpaid bonuses, disability plan, or other benefits existing by reason of the husband's past, present, or future employment.

6. The 2003 Honda motor vehicle, VIN # 1HFSC49053A103669, together with all prepaid insurance, keys, and title documents.

7. The 2001 MITS motor vehicle, VIN # JA4MW51R31J029220, together with all prepaid insurance, keys, and title documents.

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Property to Wife

IT IS ORDERED AND DECREED that the wife, JULIE MICHELLE PICKETT, is awarded the following as her sole and separate property, and the husband is divested of all right, title, interest, and claim in and to that property:

1. **The following real properties, including but not limited to any escrow funds, prepaid insurance, utility deposits, keys, house plans, home security access and code, garage door opener, warranties and service contracts, and title and closing document at: 4108 Sendero Trial, Plano, Texas 75024.**

2. ~~All household furniture, furnishings, fixtures, goods, art objects, collectibles,~~ appliances, and equipment in the possession of the wife or subject to her control.

3. All clothing, jewelry, and other personal effects in the possession of the wife or subject to her sole control.

4. All sums of cash in the possession of the wife or subject to her sole control, including funds on deposit, together with accrued but unpaid interest, in banks, savings institutions, or other financial institutions, which accounts stand in the wife's sole name or from which the wife has the sole right to withdraw funds or which are subject to the wife's sole control.

5. All sums, whether matured or unmatured, accrued or unaccrued, vested or otherwise, together with all increases thereof, the proceeds therefrom, and any other rights related to any profit-sharing plan, retirement plan, Keogh plan, pension plan, employee stock option plan, 401(k) plan, employee savings plan, accrued unpaid bonuses, disability plan, or other benefits existing by reason of the wife's past, present, or future employment.

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IT IS ORDERED AND DECREED that the personal effects of the parties are awarded to the party having possession.

Division of Debt

Debts to Husband

IT IS ORDERED AND DECREED that the husband, Larry Edward Pickett, Jr., shall pay, as a part of the division of the estate of the parties, and shall indemnify and hold the wife and her property harmless from any failure to so discharge, these items:

H-1. The following debts, charges, liabilities, and obligations:

a. **Mortgage Debt and all other charges, whether accrued or in the future, associated with the real properties located at 967 Green Street, Portsmouth, Virginia, (Approximate Balance: $26,231), and 1301 Neely's Bend #D-31, Madison, Tennessee, (Approximate Balance: $21,120).**

b. **$11,000 owed Michael Pickett for down- payment on 4108 Sendero Trail property in Plano, Texas.**

c. **$37,500 owed Michael Pickett for start-up costs of three restaurants for Pickett Bros., LLC.**

d. **$3700 owed Michael Pickett for shared business account on rental properties.**

e. **Any other amounts owed Michael Pickett for any reason.**

H-2. All debts, charges, liabilities, and other obligations incurred solely by the husband from and after May 1, 2013 unless express provision is made in this decree to the contrary.

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Debts to Wife

IT IS ORDERED AND DECREED that the wife, Julie Michelle Pickett, shall pay, as a part of the division of the estate of the parties, and shall indemnify and hold the husband and his property harmless from any failure to so discharge, these items:

W-1. The following debts, charges, liabilities, and obligations:

a. **Mortgage Debt and all other charges, whether accrued or in the future, associated with the real properties located at 4108 Sendero Trial, Plano, Texas 75024 (Approximate Balance $203,074).**

b. **All lease payments, whether accrued or in the future, for the rental of the 2011 Ford Mustang.**

W-2. All debts, charges, liabilities, and other obligations incurred solely by the wife from and after May 1, 2013 unless express provision is made in this decree to the contrary.

Special Provisions Relating to Bankruptcy Case

IT IS ORDERED AND DECREED that until the bankruptcy court separates the bankruptcy debt between the parties after this divorce is final, each party is to pay one-half of the monthly payment that has been ordered to be paid to the Bankruptcy Trustee by the United States Bankruptcy Court in Case 12-43150 styled In re: Larry E. Pickett and Julie Michelle Pickett

THE PARTIES ARE ALSO ORDERED TO COOPERATE WITH EACH OTHER TO JOINTLY SEEK IN BANKRUPTCY COURT IN CASE 12-43150, WITHIN 30 DAYS AFTER THIS DECREE OF DIVORCE IS FINAL, A SEPARATE DIVISION OF LIABILITIES SO THAT EACH PARTY WILL BE SOLEY LEGALLY RESPONSIBLE TO MORTGAGE COMPANIES FOR MORTGAGES ON ONLY THE REAL

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PROPERTIES AWARDED TO EACH PARTY. SHOULD EITHER PARTY FAIL TO TIMELY COOPERATE, THE OTHER PARTY MAY SEEK ATTORNEYS FEES AND CONTEMPT OF COURT RELIEF FROM THE 401ST DISTRICT COURT AS PART OF THIS FINAL DECREE OF DIVORCE.

Notice

IT IS ORDERED AND DECREED that each party shall send to the other party, within three days of its receipt, a copy of any correspondence from a creditor or taxing authority concerning any potential liability of the other party.

Attorney's Fees

To effect an equitable division of the estate of the parties and as a part of the division, each party shall be responsible for his or her own attorney's fees, expenses, and costs incurred as a result of legal representation in this case.

IT IS ORDERED AND DECREED that all payments made to the other party in accordance with the allocation provisions for payment of federal income taxes contained in this Final Decree of Divorce are not deemed income to the party receiving those payments but are part of the property division and necessary for a just and right division of the parties' estate.

Court Costs

IT IS ORDERED AND DECREED that costs of court are to be borne by the party who incurred them.

Discharge from Discovery Retention Requirement

IT IS ORDERED AND DECREED that the parties and their respective attorneys are discharged from the requirement of keeping and storing the documents produced in this case in accordance with rule 191.4(d) of the Texas Rules of Civil Procedure.

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Decree Acknowledgment

Petitioner, Julie Michelle Pickett, and Respondent, Larry Edward Pickett, Jr., each acknowledge that before signing this Final Decree of Divorce they have read this Final Decree of Divorce fully and completely, have had the opportunity to ask any questions regarding the same, and fully understand that the contents of this Final Decree of Divorce constitute a full and complete resolution of this case. Petitioner and Respondent acknowledge that they have voluntarily affixed their signatures to this Final Decree of Divorce, believing this agreement to be a just and right division of the marital debt and assets, and state that they have not signed by virtue of any coercion, any duress, or any agreement other than those specifically set forth in this Final Decree of Divorce.

Indemnification

Each party represents and warrants that he or she has not incurred any outstanding debt, obligation, or other liability on which the other party is or may be liable, other than those described in this decree. Each party agrees and IT IS ORDERED that if any claim, action, or proceeding is hereafter initiated seeking to hold the party not assuming a debt, an obligation, a liability, an act, or an omission of the other party liable for such debt, obligation, liability, act or omission of the other party, that other party will, at his or her sole expense, defend the party not assuming the debt, obligation, liability, act, or omission of the other party against any such claim or demand, whether or not well founded, and will indemnify the party not assuming the debt, obligation, liability, act, or omission of the other party and hold him or her harmless from all damages resulting from the claim or demand.

Damages, as used in this provision, includes any reasonable loss, cost, expense, penalty, and other damage, including without limitation attorney's fees and other costs and expenses

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reasonably and necessarily incurred in enforcing this indemnity.

IT IS ORDERED that the indemnifying party will reimburse the indemnified party, on demand, for any payment made by the indemnified party at any time after the entry of the divorce decree to satisfy any judgment of any court of competent jurisdiction or in accordance with a bona fide compromise or settlement of claims, demands, or actions for any damages to which this indemnity relates.

The parties agree and IT IS ORDERED that each party will give the other party prompt written notice of any litigation threatened or instituted against either party that might constitute the basis of a claim for indemnity under this decree.

Clarifying Orders

Without affecting the finality of this Final Decree of Divorce, this Court expressly reserves the right to make orders necessary to clarify and enforce this decree.

Relief Not Granted

IT IS ORDERED AND DECREED that all relief requested in this case and not expressly granted is denied. This is a final judgment, for which let execution and all writs and processes necessary to enforce this judgment issue. This judgment finally disposes of all claims and all parties and is appealable.

Date of Judgment

SIGNED on FEB 2 8 2014.

JUDGE PRESIDING

DISTRICT COURT OF COLLIN COUNTY, TEXAS

APPROVED AS TO FORM ONLY:

ATTORNEY FOR RESPONDENT LARRY EDWARD PICKETT, JR.

SHAPIRO LAW FIRM
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By: Howard Shapiro

Howard Shapiro
Attorney for Respondent
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ATTORNEY FOR PETITIONER JULIE MICHELLE PICKETT

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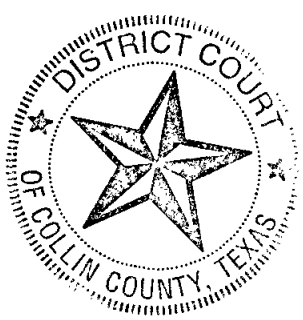
DISTRICT COURT OF COLLIN COUNTY, TEXAS

APPROVED AND CONSENTED TO AS TO BOTH FORM AND SUBSTANCE:

JULIE MICHELLE PICKETT, Petitioner

LARRY EDWARD PICKETT, JR., Respondent

OF COLLIN COUNTY, TEXAS



STATE OF TEXAS)
COUNTY OF COLLIN)

I, Lynne Finley, District Clerk in and for Collin County Texas, do hereby certify that the above foregoing is a true and correct copy of the original document as the same appears on the file in the District Court, Collin County, Texas. Witness my hand and seal of said Court, this the 10 day of June A.D., 2017

LYNNE FINLEY, DISTRICT CLERK
COLLIN COUNTY, TEXAS

Krista Marian DEPUTY