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December 19, 2007

PRINCIPAL REGISTRY OF THE FAMILY DIVISION
London, England

Re: Validity of purported Nevada divorce for Arthur James Anderson and Deborah Sandler

To the Principal Registry of the Family Division

Pursuant to your Civil Procedure Rule 35, I am pleased to submit my report on the validity of the divorce decree obtained from the Fort McDermitt Paiute-Shoshone Tribal Court in McDermitt, Nevada. The Decree of Divorce was entered with that tribal court on June 5, 2003.

In accordance with your Rule 35 and the practice direction which supplements it, this report follows the form and contents of the expert's report as stated in section 2.2.

1. Expert's qualifications:

The author of this report is a licensed Nevada attorney. I have been licensed to practice law in the State of Nevada since October, 1976 which entitles me to appear in all state and local courts within the State of Nevada. In addition thereto, I am admitted to practice in all federal courts (United States District Court and Bankruptcy Court) in the District of Nevada, the Ninth Circuit Court of Appeals (federal appellate court) and in the United States Supreme Court, Washington, D.C.

I engaged in the general practice of law from 1976 until 1998 with special emphasis on criminal law, bankruptcy, personal injury, family law, and civil law while working as an associate in other law firms in Las Vegas, Nevada. I became self-employed as a sole practitioner as of January 1, 1981.

In the fall of 1998, I was elected as a Family Court Judge and served a six year term from January, 1999 through December, 2004. The Eighth Judicial District Court in Clark County, Nevada has an exclusive family court division that was created by the Nevada Legislature in 1991 and commenced operations as a distinct court in January, 1993. The Family Court had jurisdiction over all family law matters including divorce, non-married couple cases, child support enforcement, juvenile, guardianship, abuse and neglect, name changes, and various other family law matters.

Las Vegas, Nevada is an international city. During my legal career here, I have represented clients from many countries throughout the world and presided over cases with litigants who have come from many foreign countries. Las Vegas also tends to have a transient population with many people who have moved here from other states.

Because of the extensive transient population, I have from time to time had to work with courts and judges in other states and in other countries. In one case I presided over as a judge, we had to obtain divorce records from Lima, Peru. In another case, an expert witness was brought in from San Jose, Costa Rica to testify on certain points of family law in Costa Rica. In one other case, I had to resolve child custody jurisdictional issues involving a custody order entered by a German court in Munich, Germany and confer with the German judge by telephone.

During both my legal and judicial career, I have encountered many cases where issues of subject matter and personam (personal) jurisdiction were significant issues. Over the past 31 years in the legal profession in Nevada, I have handled approximately 12,000 family law cases.

My professional associations include membership in the State Bar of Nevada since 1976; Clark County, Nevada Bar Association; International Academy of Collaborative Professionals; Collaborative Professionals of Nevada (founding member); Nevada Trial Lawyers Association; and the Association of Family and Conciliation Courts.

Education:

1966 – 1970 Western Michigan University, Kalamazoo Michigan
Bachelor of Science, Political Science major
Minors in business and philosophy

1970 – 1974 University of Notre Dame, Notre Dame, Indiana
Juris Doctorate (law degree)

1999 – present Candidate, Master of Judicial Studies degree
University of Nevada – Reno
All course work done; preparing Master's Thesis tentatively entitled "Legislating the Paradigm Shift: Enacting Laws on Collaborative Divorce, Mediation, Domestic Relations Arbitration, and Parent Coordinator Services."

I have been a member of MENSA since becoming eligible in 1968. MENSA is a private society whose membership is limited to people with IQs in the upper 2% of the general population.

Publications:

"The Collaborative Divorce (R)evolution: An Idea Whose Time has Come in Nevada" Nevada Lawyer, April, 2004. This article also appeared on the website of the International Academy of Collaborative Professions from late 2004 until October, 2007 when the IACP revamped their website and was one of the lead articles for the public viewing. Permission has been granted to several attorneys to place my article on their law firm websites. This article was also republished in the Collaborative Law Journal Vol. 3, #1 (Summer 2005) at pp. 25-31.

"Parent v. Non-Parent: The Case of the Missing Cause of Action" 28 Communique 30-31, (Clark County Bar Association magazine) (June/July issue 2007).

Board of Editors, Nevada Family Law Manual, published by the State Bar of Nevada March, 2003. Author of 46 page chapter on legal ethics for family lawyers.

Seminar topics presented:

"Parental Alienation" for continuing legal education for judges, March, 2002 and at family law seminar for State Bar of Nevada in May, 2003.

Settlement techniques for Clark County Bar Association, December, 1999.

Uniform Child Custody Jurisdiction Act for National Education Seminars, CLE for attorneys in Las Vegas, Nevada on two occasions.

"Interrelationship of bankruptcy and family law" presented to Southern Nevada Bankruptcy Lawyers Association luncheon, September, 2003.

Presentation to the Nevada District Judges Association in April, 2000 on what constitutes joint physical custody in divorce/custody cases.

During my term as Family Court Judge from 1999 through 2004, I accumulated approximately 600 hours of continuing legal education on mostly family law topics.

I have also proposed legislation in Nevada for our family courts in a bill entitled "The Domestic Relations Dispute Resolution Act." This was introduced into the 2007 Nevada Legislature and I testified as an expert on this proposed legislation. The bill did not pass in that session but is likely to be reintroduced into the 2009 Nevada Legislature.

SCOPE OF THE INQUIRY

The scope of this opinion report is governed by a formal letter dated 23 October 2007 from Daniel J. Williamson, partner, in the firm of David Clarke and Co., solicitors. The factual background is provided at page 3 of this letter and the questions for which the opinion is sought are stated on page 2. Except as otherwise stated, this opinion is based solely upon the facts stated and documents provided.

The facts as given are that the parties were married in Westminster, London, on 9 December 2001, that at the time of the marriage, Dr. Anderson was an American citizen who had moved to the UK in 1999 in order to live with Ms. Sandler. At all material times, the parties have lived in the UK.

The parties obtained a divorce from a Native American Tribal Court in northern Nevada via a joint petition for divorce with the divorce decree being filed in that court on 5 June 2003.

It is also stated in the engagement letter that neither party has any connection with the tribe and that neither party went to Nevada to obtain the divorce.

Based upon the facts as stated in the engagement letter and as summarized above, the letter asks for an opinion on the following points:

1. Whether the divorce were obtained after the proceedings. A summary of the procedure for obtaining this form of divorce is requested.

2. Whether the 2003 divorce is valid either under Native American tribal law or under the laws of the State of Nevada.

3. Whether the claim to deal with the financial issues of the divorce and restrict such applications to being brought before the tribal court is valid.

The engagement letter refers to, but does not require, an answer as whether any of the parties were domiciled in the United States at the time of the marriage. An opinion is not requested on this point. However, this aspect will be commented upon briefly in the expert opinion section.

OPINION REGARDING THE VALIDITY OF THE TRIBAL COURT DIVORCE

The divorce obtained from the Tribal Court in Nevada is void and illegal. It cannot be a valid divorce under current Nevada law. There are many reasons for its invalidity.

First, a short glimpse of legal history of Native American tribal courts in the United States. When the United States was first settled by white settlers emigrating primarily from Europe in the 1600s and 1700s, the continental United States was home to several indigenous American Indian tribes. As the United States was settled over the past three centuries, treaties were entered into between the federal government and several different Indian tribes. The tribes were granted the rights to self-government on the reservations and could apply their own laws and policies to disputes between tribal members and often on non-tribe members as well who lived on or did business on the reservation.

Some tribes were large and had well developed systems of law and government. Other tribes were small and poorly developed. Tribal courts could be similar to our traditional notions of courts; others were poor imitations of courts at best.

Over the past quarter century, the United States Supreme has limited the jurisdiction and authority of tribal courts. In Montana v. United States, 450 U.S. 544, 564 (1981), the court held that absent express congressional authorization, a tribe's authority over non-Indians extends only to what is necessary to protect tribal self-government or to control internal relations. However, the supreme court noted two exceptions for tribes to exercise sovereign power over the action of non-Indians. First, when a non-Indian enters a consensual commercial relationship with the tribe and if a non-Indian's conduct on a reservation threatens or has some direct effect on the political integrity, economic security or the health and welfare of the tribe. Id at 566.

In two other decisions in the 1980's, the United States Supreme Court further narrowed the last exception noted above. The court restricted the right of tribes to exercise jurisdiction over non-Indians to only those matters that are demonstrably serious enough to imperil the political integrity or economic security or health and welfare of the tribe. Tribal courts generally do not have jurisdiction over civil suits between non-Indians even though the underlying event such as a car accident that took place on tribal lands but on a state highway running through the reservation.

Nevada v. Hicks, 533 U.S. 353, 121 S. Ct. 2304, 150 L.Ed. 2d 398 (2001) is another landmark case in the jurisprudence governing state law authority on tribal lands. State game wardens investigated a tribal member for allegedly killing game animals outside the reservation. The U.S. Supreme Court held that state law enforcement agents could enter an Indian reservation to investigate off-reservation violations of state law and that tribal courts could not regulate the conduct of state officers in executing processes related to their duties.

In its opinion, the U.S. Supreme Court noted that a tribal court's adjudicative powers do not extend to the activities of non-members of the tribe. "Where nonmembers are concerned, the exercise of tribal power beyond what is necessary to

protect tribal government or to control internal relations is inconsistent with the dependent status of the tribes, and so cannot survive without express congressional delegation." 533 U.S. at 359.

It is necessary to explain the various sources of legal materials, case law, and how they interrelate in explaining how I came to the conclusion that the tribal court divorce is not valid. First, the United States federal government has various treaties with many Indian tribes and relations with the tribes is done in part through the Bureau of Indian Affairs. Some of the law emanates from these treaties and acts of Congress as stated in the United States Code.

The second source of legal authority are the tribal constitutions and tribal laws and ordinances. The tribes generally have the right to pass their own laws and create their own local governmental units on tribal lands. Those constitutions and statutes provide in part the nature and extent of tribal law and authority over tribal members and non-members on Indian land.

Problems arise when there is a conflict in determining the nature and extent of tribal court jurisdiction versus the jurisdiction of the state courts in which the tribal reservations are located and also conflicts with the jurisdiction of the United States federal courts. Thus, we must examine published court decisions from the United States Supreme Court, federal trial courts and appellate courts, and state appellate courts for guidance in determining the jurisdiction and authority of tribal courts. Some tribal court systems have developed to the point where their decisions are reported in case law reports in the same manner as our well established state and federal courts.

The third source of authority are these published appellate court decisions. The United States Supreme Court is the highest authority in the United States and its decisions are applicable to all states and to the tribal courts as well as to points of federal law.

The fourth source of authority are federal statutes enacted by Congress and state statutes enacted by state legislatures.

This report includes reference to all these materials and it is the job of this counsel to sort them out and hopefully explain them in a coherent manner for the family court in London. I hope this report will accomplish these tasks and provide valuable assistance in understanding the legality or illegality of the tribal court divorce.

A tribal court can only adjudicate domestic relations matters involving its members. A divorce can be done by a tribal court only if at least one of the litigants is an enrolled member and if at least one party lives on the reservation. If the litigants are non-Indians and do not live on Indian land, a tribal court has no adjudicative authority.

In the domestic relations field, the prevailing law in federal and state law is that a divorce decree from a tribal court is valid only for members of that tribe living on the reservation or for a divorce between an enrolled tribe member and a non-Indian person who either lives on the reservation or who has otherwise consented to the jurisdiction of the tribal court.

The main guideposts to this conclusion start with the decisions of the United States Supreme Court noted above. These decisions have been interpreted and seen as the means to strictly limit tribal court jurisdiction to matters involving tribal members only and on tribal lands. Tribal courts have been determined to have subject matter jurisdiction over non-Indians if one is married to an Indian and they reside on an Indian reservation.

An example of how this is applied is Sanders v. Robinson, 1988 U.S. App. LEXIS 17047 (1988) in which the Ninth Circuit Court of Appeals upheld a tribal court's exercise of jurisdiction over a non-Indian who was married to an Indian wife and lived on the reservation with her. A copy is attached to this opinion letter.

Another example of the interplay of federal law, state law and tribal law is found in a more recent published opinion, In the Matter of J.D.M.C., 2007 S. D. LEXIS 163 (2007). In this case, the South Dakota Supreme Court held that the tribal court lacked jurisdiction over a child welfare case because the parents were divorced off the reservation in a state court case, neither parent lived on the reservation and the alleged abuse or neglect behavior did not occur on the reservation. It was held that the tribal court lacked jurisdiction even though the natural mother and both children were enrolled members of the tribe. At the time of the dispute, neither mother nor any of the children physically resided on the reservation. A copy of the opinion is attached.

We next address specific Nevada legislation and case law. N.R.S. 41.430 is applicable in Nevada and it reads as follows:

> "1. Pursuant to the provisions of section 7, chapter 505, Public Law 280 of the 83d Congress, approved August 15, 1953, and being 67 Stat. 588, and sections 401 to 403, inclusive, of Title IV, Public Law 284 of the 90th Congress, approved April 11, 1968, and being 82 Stat. 78, et seq., the State of Nevada does hereby assume jurisdiction over public offenses committed by or against Indians in the areas of Indian country in Nevada, as well as jurisdiction over civil causes of action between Indians or to which Indians are parties which arise in the areas of Indian country in Nevada, subject only to the conditions of subsections 3 and 4 of this section.
>
> 2. Any tribal ordinance or custom adopted by an Indian tribe, band or community in the exercise of any authority possessed by it shall, if not inconsistent with any applicable civil law of this state, be given full force and effect in the determination

of civil causes of action pursuant to this section.

3. This section applies to all areas of Indian country within this state wherein the Indian tribe occupying any such area has consented to the continuation of state jurisdiction over such area in the manner provided in sections 6 to 14, inclusive, of chapter 601, Statutes of Nevada 1973, or has consented to the assumption of state jurisdiction over such area in the manner provided by section 406 of Title IV of Public Law 284 of the 90th Congress, approved April 11, 1968, and being 82 Stat. 80.

4. This section does not apply to any area of Indian country within this state wherein the Indian tribe occupying any such area has failed or refused to consent to the continuation of state jurisdiction over such area in the manner provided in sections 6 to 14, inclusive, of chapter 601, Statutes of Nevada 1973; and the State of Nevada hereby recedes from and relinquishes jurisdiction over any such area."

The Nevada Supreme Court has interpreted and applied this statute in one case highly relevant to this inquiry. In Voorhees v. Spencer, 89 Nev. 1, 504 P.2d 1321 (1973), the Nevada Supreme Court ruled in a probate case that the state district court had full jurisdiction to determine the heirs of the deceased and to distribute the estate. The trial court had determined that the heirs included the decedent's Indian wife. The other heirs objected to that ruling and contended that the decedent and the Indian wife were divorced according to Indian custom law. The Nevada Supreme Court disagreed.

The decedent and his wife were both Indians albeit from different tribes in northern Nevada. They were married off the reservation and had obtained a marriage license from the Mineral County Clerk. They separated after only four years of marriage but never formally divorced. When the decedent died in 1968, he was then residing on an Indian reservation. Assets of the decedent which were located within the reservation were probated in the tribal court. Assets which were located outside of the reservation were probated in the local state district court.

The Nevada Supreme Court ruled that as to events or matters in controversy which arise outside Indian country are subject to the laws of the jurisdiction involved. 89 Nev. At 5-6. More importantly, the court stated:

"While they were living off the reservation, Raylen and Hazel were subject to the laws of the state in which they resided, to the same extent that a non-Indian citizen or alien would be subject to those laws. (Citation omitted) No contention is made that Nevada authorizes or permits Indian custom divorces in those areas subject to its laws." 89 Nev. at 9.

Under Nevada law, a tribal court has authority to grant a divorce only for enrolled tribal members living on Indian land and subject to the tribal court's territorial jurisdiction. The question of whether tribal court jurisdiction would extend to a tribal member living on Indian land and married to a non-Indian who lives outside of Indian land is a narrow technical issue that has not been determined by any reported Nevada court opinion.

According to the factual information provided to me by counsel for Ms. Sandler, neither party has ever resided on the reservation lands governed by the Indian tribe and therefore were not subject to the tribal court's jurisdiction.

The fact that the parties submitted a joint petition and supposedly consented to the divorce process is of no consequence because subject matter jurisdiction cannot be conferred by consent of the parties nor can the requirement for subject matter jurisdiction be waived by the parties.

It is not clear from the 27 October 2007 letter of engagement that Mr. Anderson has ever claimed membership in the Paiute or Shoshone Tribe at Fort McDermitt. Even if he had the requisite genetic lineage by blood for membership, that would not be enough for jurisdiction purposes. Physical residence on the reservation by at least one of the parties and tribal membership would be necessary for tribal court jurisdiction.

It was also stated in the engagement letter that neither party has ever resided in Nevada. The letter notes that Mr. Anderson is an American citizen but does not declare his state of domicile in the United States. The letter states that he moved to London to live with Ms. Sandler there. Nevada law requires that a party be actually and physically residing within the State of Nevada for at least six consecutive weeks for legal residency purposes and that this residency be done with the intention of continuing to live in Nevada for at least the foreseeable future.

Because Nevada has the shortest residency requirement in the United States, some of the more significant cases involving residency and jurisdiction involve Nevada divorces. In 1942, the United States Supreme Court ruled that a person can be divorced in Nevada as long as the residency in Nevada of at least one party is established. Williams v. North Carolina, 317 U.S. 287 (1942). The presence of one person of the marriage in this state is sufficient to place the status of the marriage, the "marriage res", within this state. Thus, our courts can grant a divorce even if the other spouse never sets foot in Nevada and does not appear in the court action.

A divorce decree obtained in bad faith in Nevada without establishing residency in Nevada is not entitled to full faith and credit in other states or foreign courts and is subject to collateral attack. Williams v. North Carolina, 325 U.S. 226 (1945) (second of

the two Williams opinions); Noffsinger v. Noffsinger, 50 F. Supp. 810 (D.D.C. 1943).

There is significant case law holding that full faith and credit may not be extended to tribal court judgments for a variety of reasons primarily the lack of proper procedures, lack of due process, lack of appellate remedies, etc. There are a number of published law review reports on this topic and that a detailed discussion of this technical legal aspect is not necessary for the opinions regarding the pending divorce case in London with these parties. A foreign court would not be required to recognize a tribal divorce if that divorce was granted because of fraud. See Barrett v. Barrett, 878 P.2d 1051 (OK. 1994).

The situation is different if the tribal court never had the requisite jurisdiction. No court judgment from any court is valid if that trial court lacked subject matter or the proper personam jurisdiction. Such judgments cannot be recognized and given full faith and credit by any other court. Wilson v. Marchington, 127 F.3rd 805, 807, 813-15 (1997) and Smith v. Salish Kootenai College, 378 F. 3rd 1048 (9th Cir. 2004).

It is also important to note that a cause of action for divorce in Nevada law is typically based upon incompatibility and that there is no possibility of reconciliation. Nevada is a no fault divorce state. If the Sandler/Anderson parties are incompatible and there is no possibility of reconciliation, then those elements existed in their marriage while living in London, England. The cause of action for divorce could not have "arisen" in Nevada since neither party has ever lived here.

The parties in this case were also divorced by a process we have labeled as a joint petition for divorce which is then done in a summary proceeding. This process is governed by NRS 125.182 through 125.184. NRS 125.182(1) states in pertinent part that, "1. A summary proceeding for divorce may be commenced by filing in any district court a joint petition ....." (Emphasis supplied).

This process was created by the Nevada Legislature in 1983 to provide a simpler process for uncontested divorces. By its own language, it applies only to joint petitions filed in the state district court. I could not find any authority that such a process could be filed in the tribal court to obtain a divorce.

The letter of engagement seems clear that Mr. Anderson never lived in Nevada at any time. He could not resort to the state courts of Nevada for a divorce without actually residing here. There is only instance in which actual residency at the time of the divorce is not absolutely required. That happens only in the instance of a person who has resided in Nevada and considers Nevada his or her state of domicile but has since left the state for temporary residence outside the country.

This exception has been traditionally applied to members of the military who are residing out of the state while serving in the military or people who have a domicile here but are working overseas. In those cases, Nevada law and our courts do require that we provide substantial proof of the previous residency together with proof of the reasons for the physical absence from the state.

Without any further information about Mr. Anderson, I am unable to provide a more precise opinion on his residency. If he maintains an American domicile in a state other than Nevada, the decree of divorce is absolutely void.

The so-called "Findings of Fact" in the decree of divorce fail to state anything regarding residency. That is a critical part of the decrees that I and other attorneys place into our divorce decrees.

I have been able to locate one other instance in which a similar decree of divorce from the same tribal court has been successfully challenged in a state court. A similar divorce was granted to a Russell and Suze Thorne on June 11, 2003. Both were residents of Miami, Florida at the time. Russell Thorne remarried soon thereafter.

Suze Thorne then filed for divorce in the Circuit Court of the 11th Judicial Circuit Court in Miami-Dade County, Florida. The trial court there ruled the tribal court divorce invalid and proceeded to conduct divorce proceedings in Florida.

Mr. Thorne later sued the Nevada attorney and a paralegal service in the federal court in Nevada on various causes of action. That case is still pending. Copies of several documents from that case are included with this opinion letter.

As of this writing, I have been unable to communicate directly with the attorney who filed that lawsuit. He practices in Reno, Nevada. I also have tried to find a copy of the Florida court's ruling on the invalidity of the tribal court divorce but have had no luck there either.

I have also tried to inquire at the State Bar of Nevada as to whether there have been any problems or disciplinary proceedings with similar cases. I have been unable to converse directly with any member of the State Bar's legal counsel office as of this writing.

These divorces appear to have been done by a paralegal service called Legal Service Providers based here in Las Vegas, Nevada. It was supposedly supervised by a licensed Nevada attorney, Phillip Singer, Esq., but the extent of any such supervision is not known. That case is still pending in our federal court here in Las Vegas.

It is sad but likely true that the internet has made scams like this possible to be perpetrated upon the public. I suspect that these parties fell victim to claims that they could be divorced in a simple and inexpensive proceeding just by signing a few simple papers and sending them back to the paralegal service in Nevada.

This seems to be a scam because the Fort McDermitt Paiute-Shoshone Tribe is a very small tribe located in the far northwest rural part of Nevada near the Oregon border. Attached are various pages of data including 2000 census data and pages from other reports. It appears that this tribe only has about 400 people or so that live on the reservation and about 800 enrolled members of the tribe. The per capita income is very low and I would not be surprised if this divorce scam was simply a way for the tribe to make money. This is a supposition on my part at this time and I have no facts to prove or disprove the point. However, having been in the legal profession for over 30 years has conditioned me to really question their entire process especially in view of the litigation being conducted by another victim of the same scam.

CONCLUSIONS

My answers to the three questions/issues are as follows:

1. The procedure for a joint petition divorce in Nevada is for the parties to sign a joint petition for divorce, have their residency verified by an independent resident witness affidavit or other acceptable and reliable proof of residency, and submit the paperwork to the court for an uncontested divorce. This procedure applies to the state courts in Nevada and I could not locate any tribal source of authority that permits such a procedure in the tribal court.

2. The decree of divorce issued by the tribal court in this case on June 5, 2003 is void for lack of both subject matter and personam jurisdiction for the reasons set forth above.

3. Because the decree of divorce is void in its entirety, the court in London can proceed as if that divorce decree never existed and can adjudicate all issues within your court's jurisdiction.

In closing, it seems like England and Nevada have been tied together before regarding the validity of divorces in our fair state. Nevada has long been known worldwide as the place to get divorced. The real start for the divorce trade in Nevada started in Reno over 100 years ago, before Las Vegas and air conditioning existed.

Reno had earned an international reputation as early as 1900 as the place to get divorced. Nevada's residency period of six months was much shorter than all of the

other states and most foreign countries. Thus, the divorce trade was born.

Reno's reputation as the divorce capital of the world took off in 1900 when the Second Earl Russell, an English peer, had traveled all the way to Reno for his divorce. He took up residency by Lake Tahoe, a spectacular mountain lake located a few miles southwest of Reno to start his six month waiting period prior to filing for divorce.

Lord Russell wished to divorce his present wife and replace her with a younger woman named Mollie Sommerfield. His six month wait in Nevada was so much more pleasant because Miss Sommerfield had come to Nevada with him.

As soon as Lord Russell's divorce became final, he married Miss Mollie and they returned to a less than merry old England. The former Lady Russell was not amused by his travels. She had filed for divorce in England on the grounds of bigamy. As Lord Russell and Mollie stepped off the train in London, he was arrested and charged with bigamy. Alas, his honeymoon with Miss Mollie was deferred until he served a three month prison sentence and until his divorce from the first Lady Russell was final.

As fate would have it, Lord Russell and Mollie also divorced later in 1913.

At least Lord Russell made the trip to Nevada and stayed here for the requisite time. At this time in history, his divorce would be given full faith and credit by law.

The same cannot be said of the present day parties and sad to say they are still legally married until they are divorced in England at some future time.

The time I spent on this case far exceeded what I had quoted to Ms. Sandler's counsel but this was a fascinating challenge and it was more important to me that the court get the full explanation of the American law on this subject.

Respectfully submitted,

ROBERT W. LUECK, ESQ.

STATEMENT OF TRUTH

I confirm that insofar as the facts stated in my report are within my own knowledge I have mad clear which they are and I believe them to be true, and that the opinions I have expressed represent my true and complete professional opinion.