

IN THE CIRCUIT COURT OF THE TWENTIETH JUDICIAL CIRCUIT
IN AND FOR COLLIER COUNTY, FLORIDA
CIVIL ACTION

IN RE: THE MATTER OF:

DAVID WOODALL,
Petitioner/Husband,

CASE NO.: 16-DR-1742

and,

DANAE WOODALL
Respondent/Wife.

**WIFE'S MOTION FOR REHEARING AND/OR RECONSIDERATION ON ORDER
GRANTING HUSBAND'S EXPEDITED VERIFIED MOTION TO ESTABLISH
PARENTING TIME AND ESTABLISH TEMPORARY PARENTING PLAN**

COMES NOW, the Wife, DANAE WOODALL, by and through her undersigned counsel, and pursuant to Fla. Fam. L.R.P. 12.530, and hereby files this, her Motion for Rehearing and/or Reconsideration of this Court's Order Granting Husband's Expedited Verified Motion to Establish Parenting Time and Establishing Temporary Parenting Plan as entered on March 15, 2017, and would state as follows:

1. That on or about March 16, 2017, this Honorable Court entered its Order Granting Husband's Expedited Verified Motion to Establish Parenting Time and Establishing Temporary Parenting Plan (Hereinafter also referred to as "Order").
2. That pursuant to said Order, the Wife has been deemed responsible for transportation costs in order to effectuate the Husband's parenting time with the subject minor children in the State of Georgia. Specifically, pursuant to paragraph 14. of said Order, the Wife shall be responsible for the transportation and costs of the children traveling to Georgia in April of 2017, May of 2017, and June of 2017; a total of three roundtrips to the state of Georgia with the two subject minor children. The Wife estimates that, conservatively, each trip will have a cost of at least One Thousand Dollars (\$1,000.00).

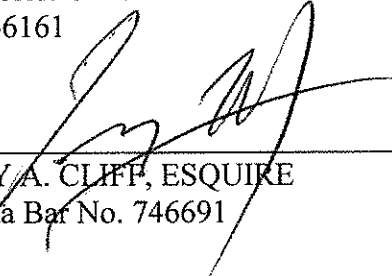
3. That although the parties have been separated for now in excess of one year, and the Wife has pending with this Court her Request for Temporary Support, (filed in April 2016), as well as in January of 2017 (Wife's Motion for Temporary Relief, filed January 4, 2017, currently scheduled for hearing on May 1, 2017) despite requests by the Wife, the Husband has provided the Wife with no financial support, either in the form of child support, temporary spousal support, or the payment of any of the Wife's expenses. Traditionally a homemaker and stay-at-home mom during the marriage, the Wife has now secured employment, with a monthly gross income of Two Thousand Three Hundred Sixty-Four Dollars (\$2,364.00), or an annual salary of less than Thirty Thousand (\$30,000) per year. Pursuant to the Wife's Financial Affidavit as filed with the Court on December 29, 2016, the Wife has a monthly deficit of One Thousand Twelve Hundred Four Dollars (\$1,204.00). Conversely, as borne out by the Husband's Financial Affidavit as filed on December 29, 2016, the Husband has a gross monthly income of Eight Thousand Nine Hundred Forty-Seven Dollars and Forty-Two Cents (\$8,947.42), and an annual income of well over One Hundred Thousand Dollars (\$100,000.00). Moreover, the Former Husband's Financial Affidavit indicates that the Husband realizes a monthly surplus of One Thousand Four Hundred Forty-Nine Dollars and Seventy-Seven Cents (\$1,449.77).
4. That based upon the relative current finances of the parties, as well as the Former Husband's failure to pay any form of support for the Wife and the subject minor children, especially any form of child support (which the Wife has calculated to be \$1,576.00 per month), the Wife request that the Court either rehear or reconsider the Court's Order imposing upon the Wife payment of the transportation costs to effectuate the three (3) scheduled out of State parenting times for the Former Husband, and require that the Former Husband be responsible for all transportation costs, subject to future allocation or determination by the Court. Not only does the Wife lack any monthly surplus which could be utilized to pay for these Court Ordered transportation expenses, the Wife has no savings or assets which she could access in order to pay the expenses. The Husband not only has surplus monthly

income which could be utilized to pay for these expenses, but the parties' assets remain in the possession of the Former Husband.

WHEREFORE, the Wife, DANA E WOODALL, by and through her undersigned counsel respectfully requests relief consistent with this Motion and such other and further relief as the Court deems just and proper.

Respectfully submitted,

CARY ALAN CLIFF, P.A.
Attorney for the Wife
599 Ninth Street North - Suite 300
Naples, Florida 34102
(239) 262-6161

By: 
CARY A. CLIFF, ESQUIRE
Florida Bar No. 746691

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing document and supporting documents have been forwarded via E-Mail and E-Mail/Clerk's E-Filing Portal, to the addressee listed below, on this 31st day of March, 2017, to:

Albert J. Alguadich, Esq.
service@lanaples.com

By: 
CARY A. CLIFF, ESQUIRE