

**IN THE CIRCUIT COURT OF THE 17TH JUDICIAL CIRCUIT  
IN AND FOR BROWARD COUNTY, FLORIDA**

CASE NO. FMCE21012979 DIVISION: 41 JUDGE: Mastrarrigo, Lorena V. (41)

**Jaime Junior Marles, Ariadna Loren Arreaza Chinchilla**

Plaintiff(s) / Petitioner(s)

v.

**Ariadna Loren Arreaza Chinchilla, Jaime Junior Marles**

Defendant(s) / Respondent(s)

\_\_\_\_\_ /

**SUPPLEMENTAL ORDER ON PARTIAL DISTRIBUTION OF ASSETS**

**THIS MATTER** having been presented to this Court upon the agreement of the parties, it is hereby:

**ORDERED AND ADJUDGED** as follows:

1. The Husband owns an Epic 401(k) Retirement Account through Space Coast Credit Union. The parties acknowledge that the funds in this account are a marital asset. The value as of October 6, 2022, \$85,700.19, shall be split 50/50 (attached hereto as "Exhibit A").
2. The parties shall effectuate the transfer of the 401(k) via a QDRO. The parties shall retain Matthew Lundy Law P.L. to prepare the QDRO and shall equally pay the costs of his services. Matthew Lundy's fee is \$875 thus, the Husband and Wife shall each pay \$437.50.
3. 100% of the 401(k) funds shall be made out to the Wife care of Scott J. Brook, PA. The Wife shall take the check to the Wife's lawyer's (Scott J. Brook, PA) bank to endorse the check; said funds shall be deposited into the trust account of the Wife's lawyer.
4. In the event that Epic 401 (k) does not withhold taxes, then thirty (30%) percent of the 401(k) funds received shall be retained in escrow in the trust account of the Wife's lawyer until further order of the court for the payment of taxes, if taxes were not otherwise withheld before the check is sent to the Wife. The tax escrow shall remain in the trust account of

Wife's lawyer. If taxes were withheld before the check is sent to the Wife, then the tax escrow shall not remain in the trust account of the Wife's lawyer.

5. The net funds obtained, after escrowing for income taxes, if necessary, shall be distributed by the Wife's counsel in the following percentages 50% to Wife / 50% to Husband via wire transfer within 72 business hours of the check clearing the trust account of the Wife's lawyer:

i. 50% to Scott J. Brook, PA Trust Account

ii. 50% to Filler Rodriguez, LLC Trust Account

6. The parties shall each be responsible for payment of fifty percent (50%) of any and all income taxes and penalties associated with the liquidation of the funds. This shall come out of the escrowed funds in paragraph 4. If there is an outstanding balance which exceeds the escrowed funds, the parties shall be equally responsible for the outstanding balance. Neither party shall delay in paying the outstanding the balance. Any late fees or penalties due to a parties failure to pay the outstanding balance shall be the responsibility of the party who has failed to pay the outstanding balance. If there is any money left over in the escrowed funds in paragraph 4 after all taxes and penalties are paid, the funds not required to be paid for income taxes and penalties shall be equally divided between the parties. The parties shall be equally responsible (50/50) for any outstanding amount owed for taxes or penalties, which exceeds what is held in escrow.

7. The liquidated funds shall constitute an interim partial equitable distribution of the marital estate and shall be equally allocated to the parties as part of the equitable distribution of the marital estate. This distribution shall not preclude the Court's ultimate determination with regard to all issues associated with the parties' claims for attorney's fees, suit monies and costs in this case.

**DONE AND ORDERED** in Chambers at Broward County, Florida on 13th day of February, 2023.

FMCE21012979 02-13-2023 12:02 PM  


FMCE21012979 02-13-2023 12:02 PM

Hon. Lorena V. Mastrarrigo

**CIRCUIT COURT JUDGE**

Electronically Signed by Lorena V. Mastrarrigo

**Copies Furnished To:**

Ashley Carreras Emeric , E-mail : attorney@scottjbrookpa.com

Ashley Carreras Emeric , E-mail : efileing@scottjbrookpa.com

Catherine M Rodriguez , E-mail : crodriguez@fillerrodriguez.com

Catherine M Rodriguez , E-mail : bbonner@fillerrodriguez.com

Catherine M Rodriguez , E-mail : service@fillerrodriguez.com

Jaime Junior Marles , E-mail : jrgunner@gmail.com

Jaime Junior Marles , Address : Law Offices of Jonny Kousa, P.L. 6810 N. State Road 7 Coconut Creek, FL 33073

Kristin Padowitz , E-mail : Kristin@lauderdaledivorcelawyer.com

Kristin Padowitz , E-mail : Assistant@lauderdaledivorcelawyer.com

Marta M Estevez , E-mail : marta@scottjbrookpa.com

Patrick Vilar Esq , E-mail : eservice@vilarlaw.com

Patrick Vilar Esq , E-mail : mark@vilarlaw.com

Patrick Vilar Esq , E-mail : patrick@vilarlaw.com

Scott J. Brook Esq. , E-mail : scott@scottjbrookpa.com