

IN THE CIRCUIT COURT OF TANEY COUNTY, MISSOURI

In Re the Marriage of:)
JOHN C. RUSSWURM)
BARBARA L. FIGARO)
)
JOHN C. RUSSWURM,)
)
)
Petitioner,)
)
v.) Case No. 15AF-CC00559
)
)
BARBARA L. FIGARO,)
)
)
Respondent.)

RESPONDENT'S MOTION TO REOPEN EVIDENCE

COMES NOW, Respondent Barbara L. Figaro, by and through her attorneys of record, Baird, Lightner, Millsap, P.C. and moves the Court to reopen the evidence, and in support thereof, states as follows:

1. This case was tried on Tuesday, March 22, 2016.
2. That a final judgment is pending in this case.
3. That at the trial of this case Respondent attempted to object to and deny the accuracy of the Form 9 Consolidated Statement of Marital and Non-Marital Assets and Debts, particularly the items and values submitted in said Form 9 as Respondent's requests and values, that the Court has used or will use in determining a final judgment in this case.
4. Respondent states that numerous items which are listed in the Form 9 Consolidated Statement do not exist and should not be included in the calculations that the Court uses to determine a final judgment in this case.
5. Respondent states that numerous property valuations that are listed in the Form 9 Consolidated Statement are incorrect, overstated, or will potentially be awarded to the incorrect party.
6. Respondent filed her Form 2 Statement of Marital and Non-Marital Assets and Debts, attached herewith as Exhibit A, on Friday, March 11, 2016, regarding all property located in the apartment in New Jersey.
7. Further, Respondent commissioned a full appraisal of the contents of the apartment

in New Jersey, which is attached herewith as Exhibit B, that determined the total property value to equal \$1,345.00. The court has erroneously entered \$26,335.00 as the total value of property located in the New Jersey apartment, an amount that the Respondent never stipulated to and which Respondent attempted to deny at trial.

8. Respondent requests the opportunity to present evidence to the Court regarding the above so that a full and accurate picture of the facts is presented to the Court before final disposition of this case.

9. Respondent states that an evidentiary hearing is necessary in order to provide the relevant, accurate, and complete information that the Court needs in determining a judgment in this case.

WHEREFORE, Respondent requests this Court reopen the record so that Respondent may present additional evidence concerning true and accurate property valuations, professional property appraisals, additional evidence as to marital and non-marital property of the parties, and such other and further relief as the Court may deem just and proper under the circumstances.

BAIRD LIGHTNER MILLSAP, P.C.

By


MATTHEW MILLER Mo. Bar No: 50892

J. ISAAC LIGHTNER Mo. Bar No: 68204

1901-C South Ventura Avenue

Springfield, MO 65804

Telephone: (417) 887-0133

Facsimile: (417) 887-8740

E-mail: mmiller@blmlawyers.com

E-mail: ilightner@blmlawyers.com

Attorneys for Respondent

CERTIFICATE OF SERVICE

I hereby certify that on the 15th day of April, 2016, I electronically filed the above and foregoing document using the Court's e-filing system which sent notification to the following:

Rudy A. Arambulo, Trilakes Law Firm, LLC, 301 W. Pacific St., Ste. A, Branson, Missouri 65616,