

EXHIBIT “5”

OCT 07 2013

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COURT OF COMMON PLEAS
DIVISION OF DOMESTIC RELATIONS
CUYAHOGA COUNTY, OHIO

LARRY ELLIOT KLAYMAN : Case No: DR07 316840
 Petitioner : Judge: DIANE M. PALOS
 - vs. - :
 STEPHANIE ANN LUCK : JUDGMENT ENTRY
 Respondent :

DR07316840

 69164272

This matter came on for hearing on June 23, 2010, before Magistrate Serpil Ergun upon Respondent's Motion To Show Cause For Continued Non-Payment of Child Support (#289099) and Motion For Attorney Fees (#289100) filed October 15, 2009; Petitioner's Motion To Withdraw Capias (#291722) filed December 8, 2009; and the Guardian Ad Litem's Motion For Guardian Ad Litem Fees (#292173) filed December 10, 2009. Present were Attorney William Whitaker on behalf of the Petitioner, Respondent, and Attorney Suzanne Jambe on behalf of the Respondent. Petitioner and the Guardian Ad Litem Jennifer Malensyk failed to appear.

The Court adopts the Magistrate's Decision filed **July 2, 2010**, in its entirety.

IT IS HEREBY ORDERED:

AFTER CONSIDERING THE MAGISTRATE'S DECISION FILED JULY 2, 2010, PLEADINGS, EXHIBITS AND IN THE ABSENCE OF A TRANSCRIPT, PETITIONER'S OBJECTIONS FILED JULY 16, 2010 ARE HEREBY OVERRULED AND THE DECISION OF THE MAGISTRATE ADOPTED WITHOUT MODIFICATION.

Petitioner's Motion To Withdraw Capias (#291722) filed December 8, 2009 is DISMISSED without prejudice.

The Guardian Ad Litem's Motion For Guardian Ad Litem Fees (#292173) filed December 10, 2009 is DISMISSED without prejudice.

Respondent's Motion To Show Cause For Continued Non-Payment of Child Support (#289099) filed October 15, 2009 is GRANTED.

Petitioner/Obligor Larry Klayman is in contempt of Court for failing to comply with this Court's support order journalized September 24, 2009, as well as the divorce decree registered in this Court by order journalized August 28, 2007.

Petitioner is in arrears in the amount of \$47,600.90 as of May 31, 2010, which is owed the Respondent/Obligee Stephanie DeLuca f/k/a Stephanie Klayman, Respondent's assignee(s), and the Child Support Enforcement Agency (CSEA). This sum includes all previously accrued support arrears and processing charges, and supercedes all prior determinations. Petitioner also owes Respondent \$5,950.00 for tuition expended for the children for the 2009-2010 and 2010-2011 school years.

This is Petitioner's second offense in this Court for nonpayment of support.

Petitioner is hereby sentenced for said contempt to sixty (60) days in jail. However, the Petitioner's sentence will be suspended and the contempt will be purged PROVIDED that Petitioner pays \$10,000.00 through the CSEA within 30 days of the journalization of this order. This purge payment is in addition to any obligation to pay current support and arrearage payments that may be due.

All support shall be paid through Ohio Child Support Payment Central (OCSPC), P.O. Box 182372, Columbus, Ohio 43218-2372. Any payments not made through OCSPC shall not be considered as payment of support. Checks or money orders shall be made payable to "OCSPC". Cash payments to OCSPC may be made at the Cuyahoga County Treasurer's Office, County Administration Building, 1st Floor – Cashier, 1219 Ontario Street, Cleveland, Ohio 44113. All payments shall include the following: Obligor's name, Social Security Number, SETS case number, and Domestic Relations Court case number.

In the event Petitioner does not purge the contempt, the Court, upon the filing of an affidavit of the Respondent Stephanie DeLuca or the CSEA with an attached certified copy of CSEA/OCSPC payment records, shall issue a writ of habeas corpus for Petitioner Larry Klayman to serve the jail sentence ordered above. Said affidavit shall be filed within one (1) year of the journalization of this order.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that in addition to the above sentence and civil purge, Petitioner shall do the following:

- 1) Continue to pay \$1,836.00 per month, which includes 2% processing charge, as current support for the minor children Isabelle Natalie Klayman (DOB 12/15/1997) and Lance William Klayman (DOB 11-14-1999) (\$900.00 per month per child not including 2% processing charge);
- 2) Pay an additional \$360.00 per month toward the arrearage until the arrearage is paid in full or until further order of Court. Processing charges shall not be collected on the arrearage payment since the above arrearage includes all accrued processing charges.

Total monthly obligation is \$2,196.00.

All support under this order shall be withheld or deducted from the income or assets of the obligor pursuant to a withholding or deduction notice or appropriate order issued in

accordance with Chapters 3119., 3121., 3123., and 3125. of the Revised Code or a withdrawal directive issued pursuant to sections 3123.24 to 3123.38 of the Revised Code and shall be forwarded.

The prior order to post bond dated September 24, 2009 shall remain in full force and effect.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Obligor immediately notify the CSEA, in writing, of any change in employment (including self-employment), receipt of additional income/monies or termination of benefits. The Obligor shall include a description of the nature of the employment and the name, business address and telephone number of any employer. The Obligor shall immediately notify the CSEA of any change in the status of an account from which support is being deducted or the opening of a new account with any financial institution.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the **Child Support Obligor and the Child Support Oblige**e shall comply with the request of the CSEA in advance of an administrative review of a support order to provide the following: copy of federal income tax return from the previous year, copy of all pay stubs within the preceding six (6) months, copy of all other records evidencing the receipt of any other salary, wages or compensation within the preceding six (6) months, and, if the Obligor is a member of the uniformed services and on active military duty, a copy of the Obligor's Internal Revenue Service Form W-2, "Wage and Tax Statement," and a copy of a statement detailing the Obligor's earnings and leave with the uniformed services. The **Child Support Obligor and the Child Support Oblige**e shall also provide a list of available group health insurance and health care policies, contracts and plans, and their costs, the current health insurance or health care policy, contract, or plan under which the Oblige e and/or Obligor is/are enrolled, and their costs, including any Tricare program offered by the United States Department of Defense available to the Oblige e, and any other information necessary to properly review the child support order.

Either party's failure to provide any earnings/benefits information pursuant to this order, or failure to comply with the foregoing order of notification shall be considered contempt of Court, punishable by a fine and/or jail sentence.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the **residential parent and legal custodian of the child(ren)** immediately shall notify, and the obligor under a child support order may notify, the CSEA of any reason for which the child support order should terminate, including but not limited to the child's death, marriage, emancipation (age 18 or high school completion/termination), enlistment in the Armed Services, deportation, or change of legal custody. A willful failure to notify the CSEA is contempt of court.

The following information is provided for the use of the CSEA in accordance with §3121.24 and §3121.30 of the Ohio Revised Code:

OBLIGEE: NAME: Stephanie Ann Luck
RESIDENCE ADDRESS: 2598 Kerwick Road
Cleveland, Oh 44118-0000

MAILING ADDRESS: 2598 Kerwick Road
Cleveland, Oh 44118-0000

SOCIAL SECURITY NO.:
DATE OF BIRTH: 11/30/1966
DRIVERS LICENSE NO.:

OBLIGOR: NAME: Larry Elliot Klayman
RESIDENCE ADDRESS: P.O. Box 2788
Washington, Dc 20013-0000

MAILING ADDRESS: P.O. Box 2788
Washington, Dc 20013-0000

SOCIAL SECURITY NO.:
DATE OF BIRTH: 07/20/1951
DRIVERS LICENSE NO.:

Attorney fees and court costs may be assessed against the party held in contempt.

The parties affected by the support order shall inform the CSEA of any change of name or other change of conditions that may affect the administration of the order. Willful failure to inform the CSEA of the above information and any changes is contempt of court.

EACH PARTY TO THIS SUPPORT ORDER MUST NOTIFY THE CHILD SUPPORT ENFORCEMENT AGENCY IN WRITING OF HIS OR HER CURRENT MAILING ADDRESS, CURRENT RESIDENCE ADDRESS, CURRENT RESIDENCE TELEPHONE NUMBER, CURRENT DRIVER'S LICENSE NUMBER, AND OF ANY CHANGES IN THAT INFORMATION. EACH PARTY MUST NOTIFY THE AGENCY OF ALL CHANGES UNTIL FURTHER NOTICE FROM THE COURT OR AGENCY, WHICHEVER ISSUED THE SUPPORT ORDER. IF YOU ARE THE OBLIGOR UNDER A CHILD SUPPORT ORDER AND YOU FAIL TO MAKE THE REQUIRED NOTIFICATIONS, YOU MAY BE FINED UP TO \$50 FOR A FIRST OFFENSE, \$100 FOR A SECOND OFFENSE, AND \$500 FOR EACH SUBSEQUENT OFFENSE. IF YOU ARE AN OBLIGOR OR OBLIGEE UNDER ANY SUPPORT ORDER ISSUED BY A COURT AND YOU WILLFULLY FAIL TO GIVE THE REQUIRED NOTICES, YOU MAY BE FOUND IN CONTEMPT OF COURT AND BE SUBJECTED TO FINES UP TO \$1,000 AND IMPRISONMENT FOR NOT MORE THAN 90 DAYS.

IF YOU ARE AN OBLIGOR AND YOU FAIL TO GIVE THE REQUIRED NOTICES, YOU MAY NOT RECEIVE NOTICE OF THE FOLLOWING ENFORCEMENT ACTIONS AGAINST YOU: IMPOSITION OF LIENS AGAINST YOUR PROPERTY; LOSS OF YOUR PROFESSIONAL OR OCCUPATIONAL LICENSE, DRIVER'S LICENSE, OR RECREATIONAL LICENSE; WITHHOLDING FROM YOUR INCOME; ACCESS RESTRICTION AND DEDUCTION FROM YOUR

ACCOUNTS IN FINANCIAL INSTITUTIONS; AND ANY OTHER ACTION PERMITTED BY LAW TO OBTAIN MONEY FROM YOU TO SATISFY YOUR SUPPORT OBLIGATION.

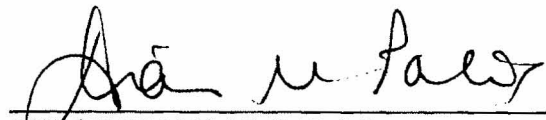
Failure to comply with this support order can result in a contempt action; and, as provided in Ohio Revised Code §2705.05, the penalty for which may be imprisonment for not more than thirty (30) days in jail and/or fine of not more than \$250.00 for a first offense, not more than sixty (60) days in jail and/or fine of not more than \$500.00 for a second offense, and not more than ninety (90) days in jail and/or not more than \$1,000.00 fine for a third or subsequent offense.

All orders not modified herein shall remain in full force and effect.

Respondent's Motion For Attorney Fees (#289100) filed October 15, 2009 is GRANTED. Petitioner shall pay \$2,500.00 toward the Respondent's attorney fees as additional spousal support for which judgment is rendered and execution may issue.

Petitioner shall pay all costs of this action.

Costs adjudged as provided in the above entry.


JUDGE DIANE M. PALOS

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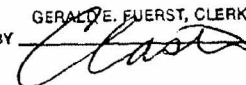
cc: Roger L. Kleinman, Esq.
Attorney for Petitioner


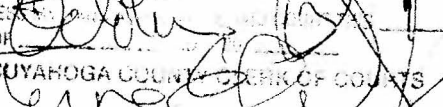
Suzanne M. Jambe, Esq.
Attorney for Respondent

Jennifer L. Malensek, Esq.
Guardian ad Litem

RECEIVED FOR FILING

JUN 24 2011

GERALD E. FUERST, CLERK
BY  DEP.

THE STATE OF OHIO Cuyahoga County	} SS.	I, THE CLERK OF THE COURT OF COMMON PLEAS WITHIN AND FOR SAID COUNTY,
HEREBY CERTIFY THAT THE ABOVE IS A TRUE AND CORRECT COPY TAKEN AND FILED IN THE OFFICE OF THE CLERK OF COURTS		
NOW ON FILE WITH THE CLERK OF COURTS		
DAY OF 		
CUYAHOGA COUNTY CLERK OF COURTS		
By 	Deputy	