## IN THE CIRCUIT COURT OF COOK COUNTY COUNTY DEPARTMENT - DOMESTIC RELATIONS DIVISION

IN RE THE MARRIAGE OF:	<b>)</b>		*1729619861*
MARY A. ZEIA,	)		Doc# 1729619061 Fee \$46.00
Petitioner, and ROBERT ZELA, Respondent.	) ) )	No. 16 D2 30486 16 M2 4535 16 OP 20433	RHSP FEE:\$9.00 RPRF FEE: \$1.00 KAREN A.YARBROUGH COOK COUNTY RECORDER OF DEEDS DATE: 10/23/2017 03:16 PM PG: 1 OF 5
FLORNA ZEIA, Third-Party Officidant.	)		

### ORDER

This cause coming to be heard for hearing on Mary Zeia's ("Mary") Petition to Set Aside

Quit Claim Deed; Mary and Third-Party Defendent Florna Zeia ("Florna") both being present in

Court; Respondent, Robert Zeia ("Robert") failing to appear and being defaulted on September 21,

2017; Counsel for Mary and Florna appearing; The Court hearing argument from counsel for Mary

and counsel for Florna; the Court hearing testimony from Mary Zeia only; Florna being present but

refusing to testify; and the Court being fully informed in the premises;

### THE COURT FINDS:

- 1. Florna was present in Court but left the courtroom during the proceedings and refused to enter the courtroom when called to testify.
- 2. The testimony of Mary was credible and uncontroverted.
- 3. During Mary and Robert's marriage, Florna and Robert shared bank accounts and commingled all of Robert's marital money deposited into the shared bank accounts.
- 4. Florna, Robert, and Mary lived together for many years.

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- 5. Robert was the breadwinner of the Robert and Mary's family:
- 6. This Court previously found the dissolution of Robert's trucking company and the incorporation of Florna's trucking company to be a ploy so Robert could avoid his financial responsibilities to his wife and six children.
- 7. There was no adequate consideration for Mary and Robert's signing of the December 3, 2015 Quit Claim Deed (the "Quit Claim Deed") transferring their interest in the Skokie Residence to Floma.
- 8. \$4,000 was prid by Robert to Mary pursuant to a Court Order in which Floria was not a party, and was not consideration for the signing of the Quit Claim Deed.
- 9. Mary's marital credit care 22% paid off on December 3, 2015 was paid off by
  Robert and not by Floma, and was not consideration for the signing of the Quit
  Claim Deed.
- 10. Robert was solely in charge of the family's finances during the parties' marriage and

  Mary trusted Robert to act in her and the family's best interests.
- Robert forced Mary to sign the Quit Claim Deed under duress with threats that she would lose her financial support and her children, and with physical volence.
- When Mary signed the Quit Claim Deed, she was under financial duress by both

  Robert and Florna. Robert and Florna colluded to mix marital funds to obscure from

  Mary the finances of the marriage.
- 13. Florna's actions throughout these proceedings constitute harassment and are in violation of this Court's Orders.
- 14. Florna was aware of the stay on the eviction proceedings but engaged in self-help

and went forward and evicted Mary and the parties' six children from their home at 9244 Tripp Avenue, Skokie, Illinois (the "Skokie Residence") in violation of this Court's Order.

The 2013, 2014, and 2015 Individual Tax Returns of Florna, which were produced by Florna in discovery, were admitted into evidence over Counsel for Florna's 15. objection.

# IT IS HEREBY ORDERED

- Mary's Petition to Set Aside Quit Claim Deed is granted.
- The December 3, 2015 Quit Ciann Deed relating to the property located at 9244 Tripp Avenue, Skokie, Illinois (L. "Skokie Residence") recorded by the Cook 1. County Recorder of Deeds on December 4 2015 under Doc # 1533850004 is hereby 2. set aside, invalid, and found to be null and void.
  - The title to the Skokie Residence is hereby re-vested in the names of Florna Zeia, Mary Zeia, and Robert Zeia as Joint Tenants.
    - Florna, Mary, and Robert shall each have an equal 1/3 interest in the Skokie Residence (1/3 to Florna, 1/3 to Mary, and 1/3 to Robert).
      - In light of Robert being held in default of these proceedings for his failure to participate pursuant to this Court's September 21, 2017 Order, this Court of Judgment will award Robert's 1/3 interest in the Skokie Residence to Mary. The disposition of the Skokie Residence is subject to further Court Order
        - A copy of this Order shall immediately be certified and recorded with the Cook 6.
        - County Recorder of Deeds. All costs relating to the certification and recordation of

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this Order with the Cook County Recorder of Deeds shall be split equally between

Mary and Florna (50/50).

Flora's Petition to Compel Mary A. Zeia to Show the Real Estate at 9244 Tripp

Avenue, Skokie, Illinois 60076 to Prospective Purchasers and to Cooperate in the

Sale of said Real Estate is hereby denied.

Attorney No. 91797 Davis Friedman, LLP Attorneys for Mary Zeia 135 South LaSalle Street, 36th Floor Chicago, Illinois 60603 312-782-2220 service@davisfriedman.com ggoldberg@davisfriedman.com

ENTERED:

Dated

2017

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### **COOK COUNTY** RECORDER OF DEEDS

COOK COUNTY
RECORDER OF DEEDS

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t hereby certify that the document to which this certification is affixed is a true copy.

Date 10

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Doróthy Brown Clerk of the Circuit Court of Cook County, IL