

Outline
Community Property
Spring 2014

1. Harold and Wanda (30)
 - Were the parties married (15)
 - Effect of lack of ceremony and intent pre 2010
 - Marvin Agreement
 - Effect on CRU
- Not CP at this point
- Effect of Reno Mariage (15)
 - Effect of 2640/Marsden
 - CRU funds
 - 20k CRU 30K mortgage paydown

Extra credit for putative spouse discussion

- 2 Paul and Annette (40)
 - Blackacre (10)
 - 2640 200k s/p
 - transfer of interest (Perkal)
 - 400k half c/p half s/p
 - Walwrath each item individually (20)
 - condo 50/50 100k s/p 300 c/p
 - Electric Seagull 50/50 0 net
 - PG&E stock no gan 50K return s/p 50 cp

- Ferrari (10)
 - presumption vs gift
 - No writing
 - Registration not enough

3. Harry and Wendy (30)
 - Delayed home sale
 - Economically feasible
 - ROI to Harry on 150K
 - Soft factors
 - Benefit to kids
 - Age

School
 Ability to access kids by both parents
 Equal sharing of Tim
 Wendy's boyfriend

4. Mary (35)

Sloan Droeger (15)

Purpose
 Analysis
 Procedure
 Potential for conflict

Turkanis (5)

Issue can be revisited even after litigation.

Character of house (15)

CP vs SP
 Lack of records for each
 Account overdrawn
 Intent to use s/p funds
 No documentaiton of account and sources
 Conflicting sources

Possible extra fiduciary duty

5. Gordon and Yvette (30)

Fiduciary Duty (20)

Failure to disclose by each
 Seemingly good faith omission

Undisclosed c/p

Henn Issue (10)

Can divide omitted asset
 50/50
 Divide in OSC or separate action
 CA vs NY

Definitions

1	2	3	4
5	6	7	8
9	10	Total	