

IN THE CIRCUIT COURT OF THE SIXTH JUDICIAL CIRCUIT
IN AND FOR PINELLAS COUNTY, FLORIDA
FAMILY LAW DIVISION

IN RE: THE MARRIAGE OF:

SIMON C. WESTON,
Petitioner/Husband

and
HEATHER L. SPENCE,
Respondent/Wife

Case No.: 21-000651-FD-12

AMENDMENT TO PARTIAL AGREEMENT

THIS AMENDMENT TO MARITAL SETTLEMENT AGREEMENT is made this 24th
day of June 2022, between SIMON C. WESTON ("Husband") and HEATHER L. SPENCE
("Wife").

WITNESSETH:

WHEREAS, the parties entered into a Partial Agreement on March 2nd, 2022, and

WHEREAS, the terms of the Partial Agreement called for an Amendment thereto to be entered following certain updates to the parties' retirement division calculations, and the parties intend and desire to amend said terms and conditions of their Partial Agreement only as specifically set forth herein, and that all other terms and conditions of the Partial Agreement, not specifically modified/updated herein shall remain in full force and effect, and

WHEREAS, the above recitals are deemed an integral part of this Agreement and not as mere recitals thereto.

NOW THEREFORE, in consideration of the mutual obligations accepted by the parties, as well as other good and valuable consideration, the parties, by execution of this Amendment, hereby agree to the following:


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1. The Husband and the Wife agree to modify Section 2.B(3) of the MSA, entitled "Retirement Accounts" only to add subsection 2.B(3)(a1), which shall appear between subsection 2.B(3)(a) and 2.B(3)(b) as follows:

(a1) The parties' updates to their retirement figures are complete. The parties attach their agreed updated Exhibit "B" hereto which includes their full and final agreed divisions related to their respective retirement accounts which shall replace the prior Exhibit "B" attached to the partial Agreement dated March 2nd, 2022. The parties agree that the Exhibit "B" attached to the Partial Agreement on March 2nd, 2022, shall have no legal force or effect. Any and all references to Exhibit "B" in the Partial Agreement (outside of those references within Subsection 2B(3)(a)), shall be deemed to refer to the updated, final Exhibit "B" attached to this Amendment to Partial Agreement. Additionally, the parties agree that the attached Exhibit "B" calls for a division of the Husband's Fidelity Roth IRA account between the parties (all other accounts are distributed in full to a singular party and the parties acknowledge that the overall account values may have fluctuated since the last updated valuation dates of 2/28/22 and or 3/1/2022 due to market forces). The parties agree that the monetary value listed on the attached updated Exhibit "B" hereto for the Wife's share of the Husband's Fidelity Roth IRA is illustrative only as to the value on March 1, 2022, and that the overall percentage value of 34.3% of this account shall control and shall be the share the Wife receives from this account (the Husband shall be required to provide the Wife with updated statements from this account from 3/1/2022 through the date of division to confirm she receives 34.3% of this account at the time of division). Both parties affirmatively state that neither of them has taken any withdrawals, distributions, loans, or taken any action of any kind to reduce the values of any of their retirement accounts from


SCW



12/31/21 or thereafter. The parties affirmatively state that any changes in the values of these accounts are related to market forces and/or additional deposits and there have been no actions or inactions taken by either to reduce the values. Moreover, neither party shall be permitted to take any withdrawals, distributions, loans, or taken any action of any kind to reduce the values of any of their retirement accounts until all divisions/transfers of accounts on the updated Exhibit "B" attached hereto are completed."

2. This Amendment to Partial Agreement has been drafted by the counsel for the Wife, however, the parties agree that no part of this agreement shall be construed against the Husband or the Wife as a result of drafting.

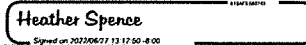
3. Except only as specifically modified/amended in writing herein, the Husband and the Wife intend that the Partial Agreement shall continue to remain in full force and effect. All terms of the Partial Agreement not specifically modified/amended in writing herein, shall further be applicable to this Amendment to Partial Agreement as if fully set forth herein.

4. The Wife is represented by Christin C. Brennan, Esquire, of Meros, Smith, Lazzara, Brennan & Brennan, P.A. The Husband is represented by Alan Rosenthal, Esquire. By virtue of signing this Amendment to Marital Settlement Agreement, both parties acknowledge that they have read the entire agreement, understand its terms, and agree to be bound by them.

IN WITNESS WHEREOF, the parties have hereunto affixed their hands and seals.



SIMON C. WESTON
Husband/Petitioner

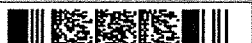


Heather Spence
Signed on 2022/06/27 13:12:00 -0500

HEATHER L. SPENCE
Wife/Respondent



SCW



NOTARY ACKNOWLEDGEMENTS

STATE OF FLORIDA
COUNTY OF PINELLAS

BEFORE ME, the undersigned authority, personally appeared by means of _____ physical appearance or X online notarization, HEATHER L. SPENCE, who is personally known to me, or has produced _____ as identification and who executed the foregoing Amendment to Partial Agreement, and acknowledge that she signed and sealed the said instrument as her free and voluntary act and deed and for the uses and purposes therein expressed.

WITNESS my hand and seal this 27th day of June, 2022, in the aforesaid County and State.

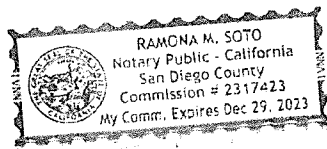


Kristina Montalvo
Signed on 2022/06/27 13:16:05 -8:00
NOTARY PUBLIC

California
~~STATE OF FLORIDA~~
COUNTY OF San Diego

BEFORE ME, the undersigned authority, personally appeared by means of ✓ physical appearance or _____ online notarization, SIMON C. WESTON, who is personally known to me, or has produced CA D.L. as identification and who executed the foregoing Amendment to Partial Agreement, and acknowledge that he signed and sealed the said instrument as his free and voluntary act and deed and for the uses and purposes therein expressed.

WITNESS my hand and seal this 24 day of June, 2022, in the aforesaid County and State.



Ramona M. Soto
NOTARY PUBLIC

SCW

HS _____
HLS

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WESTON V SPENCE
DIVISION OF RETIREMENT ACCOUNTS
DATE OF MARRIAGE: 1/1/2006
DATE OF FILING: 1/22/2021

REF NO.	ASSET/LIABILITY	OWNERSHIP / TITLE	ACCOUNT NO.	DATE	UPDATED VALUE	NON-MARITAL HUSBAND	NON-MARITAL WIFE	TOTAL MARITAL	EQUITABLE DISTRIBUTION HUSBAND	EQUITABLE DISTRIBUTION WIFE
RETIREMENT ACCOUNTS:										
1	Fidelity Roth	Wife	7077	2/28/2022	\$ 24,507	\$ -	\$ -	\$ 24,507	\$ -	\$ 24,507
2	Fidelity Roth	Wife	7210	2/28/2022	33,129	-	-	33,129	-	33,129
3	Fidelity Intel 401(k) Savings Plan	Husband		3/1/2022	89,143	59,250	-	29,893	29,893	-
3a	Less: Tax effect (22%)				(19,611)	(13,035)	-	(6,576)	(6,576)	-
4	Fidelity Intel Retirement Contribution Plan	Husband		3/1/2022	197,992	113,804	-	84,188	84,188	-
4a	Less: Tax effect (22%)				(43,558)	(25,037)	-	(18,521)	(18,521)	-
5	Fidelity IRA	Husband	6147	3/1/2022	41	-	-	41	41	-
5a	Less: Tax effect (22%)				(9)	-	-	(9)	(9)	-
6	Fidelity Micron Retirement Plan	Husband	9794	3/1/2022	95,638	-	-	95,638	95,638	-
6a	Less: Tax effect (22%)				(21,040)	-	-	(21,040)	(21,040)	-
7	Nationwide Soitec Retirement	Husband	0303	3/1/2022	56,284	-	-	56,284	-	56,284
7a	Less: Tax effect (22%)				(12,382)	-	-	(12,382)	-	(12,382)
8	Prudential GlobalFoundries Roth 401(k)	Husband		2/28/2022	39,231	32,828	-	6,403	6,403	-
9	Kioxia - T. Rowe Price 401(k)	Husband		3/1/2022	155,943	-	-	155,943	-	155,943
9a	Less: Tax effect (22%)				(34,307)	-	-	(34,307)	-	(34,307)
10	Fidelity Roth IRA	Husband	1144	3/1/2022	420,974	78,554	-	342,420	197,920	144,500
SUBTOTAL RETIREMENT ACCOUNTS					\$ 981,973	\$ 246,364	\$ -	\$ 735,609	\$ 367,936	\$ 367,672
								Total Roth	\$ 204,323	\$ 202,136
								Total Non-Roth	\$ 209,760	\$ 212,226

A - \$144,500 of all asset holdings (in-kind transfers)

HS