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JOAN M. GILMER
CIRCUIT CLERK
ST. LOUIS COUNTY, MO

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IN THE CIRCUIT COURT OF ST. LOUIS COUNTY
STATE OF MISSOURI

MATTHEW M. MILLER	)	
	)	
Petitioner,	)	
	)	**Cause number: 13SL-DR06958-02**
and	)	
	)	**Division: 32**
SUSAN M. AVILA f/k/a MILLER,	)	
	)	
Respondent.	)	

GUARDIAN AD LITEM'S MOTION FOR ADDITIONAL FEES AND REQUEST FOR JUDGMENT ENTERED REGARDING SAME AND MOTION TO WITHDRAW

COMES NOW Nicolette Klapp, Guardian ad Litem, and requests the Court Compel Guardian ad Litem fees. In support thereof, she states:

1. Nicolette Klapp was appointed Guardian ad Litem in this cause on July 31, 2020, with the Petitioner and the Respondent to pay Fifty percent of the Guardian ad Litem fees.
2. That Petitioner and Respondent have each paid Five Hundred Dollars ($500.00).
3. On May 12, 2022, the Court entered an Order for Petitioner to pay One Thousand Two Hundred Fifty Dollars ($1,250.00) and the Respondent to pay One Thousand Two Hundred Fifty Dollars ($1,250.00) to the Guardian ad Litem.
4. That Respondent has satisfied her ordered payment to the Guardian ad Litem.
5. That Petitioner has only paid One Thousand One Hundred and Fifty Dollars ($1,150.00) to the Guardian ad Litem.
6. On October 3, 2022, the Court entered an Order for Petitioner to pay One Thousand Five Hundred Dollars ($1,500.00) and the Respondent to pay One Thousand Five Hundred Dollars ($1,500.00) to the Guardian ad Litem.
7. That Respondent has satisfied her ordered payment to the Guardian ad Litem.
8. That Petitioner has not satisfied his ordered payment to the Guardian ad Litem.

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9. On February 27, 2023, Respondent contacted the Guardian ad Litem's office and paid Five Hundred Dollars ($500.00). This amount has not been ordered by the Court.
10. The Guardian ad Litem bills her time at Two Hundred Five Dollars ($205.00) per hour.
11. To date the Guardian ad Litem has in excess of 65 hours in representing the minor children.
12. As of the date of this Motion, Guardian ad Litem has incurred fees in the amount of Thirteen Thousand Eight Hundred Fifty-Eight Dollars ($13,858.00[1]).
13. As of the date of this Motion, the Guardian ad Litem has *outstanding* fees of Eight Thousand Four Hundred Fifty-Eight Dollars ($8,458.00). Attached as Exhibit 1 is Summary of Guardian ad Litem Fees.

WHEREFORE the Guardian ad Litem respectfully requests this Court to enter an Order and Judgment of this Court directing the parties to pay the outstanding Guardian ad Litem fees in the amount of $8,458.00 and/or for the Court to order a Judgment of that amount against the parties in favor of The Buxner Law Firm, in such proportions as the Court deem appropriate, and for such other and further relief as this Court deems just and proper in the premises.

MOTION TO WITHDRAW

Comes now Guardian ad Litem and for her Motion to Withdraw states as follows:

1. Guardian ad Litem has recently been appointed as Associate Circuit Judge in St. Louis County. Therefore, the Guardian ad Litem will no longer be able to represent the minor children in this matter.

WHEREFORE, the Guardian ad Litem prays for an Order of Court granting leave to withdraw as and for such other and further relief as this court deems just and proper.

[1] Of this amount, Petitioner has paid a total of $1,650; Respondent has paid a total of $3,750.

SO ORDERED:

Judge Div. 32
January 10, 2024

The allocation of the GAL fees will be determined at trial or by further order of the court.

Respectfully Submitted,

THE BUXNER LAW FIRM

/s/ Nicolette Klapp
Nicolette Klapp, MBE #62009
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Certificate of Service

I hereby certify on this 28th day of December 2023 I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification to all attorneys and parties of record.

/s/ Nicolette Klapp

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