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"I SUED THE WOMAN WHO STOLE MY HUSBAND"

Candi Wagner thought someone should have to pay for destroying her marriage and leaving her a single mother of three children. So she took her husband's mistress to court—and won \$500,000



■ Candi, shown here at her wedding 13 years ago, considered her husband, Gary, to be her best friend.

I sat alone on the floor of my bedroom, sobbing. It was 3 a.m., and in my hand was a stack of letters addressed to my husband—from the woman he had been sleeping with.

Dating back one year, the earliest of the notes said things like, "You seem like a wonderful husband. I envy your wife." The more recent letters were increasingly suggestive. In one of them, she detailed a sexual fantasy and enclosed a picture of herself in a negligee. I felt sick.

I had been tipped off to Gary's infidelity the day before by a well-meaning friend, whose husband—a coworker of Gary's—had told her that Gary was cheating on me. I listened, stunned, as she gently explained that Gary had hidden letters from his long-distance lover, Cathy, at his violin shop.

My hurt turned to anger as I waited for Gary to get home from work. While our children, ages 8, 6, and 2, played in another room, I asked Gary if the name Cathy Nolen sounded familiar. At first he ignored me, but then, looking almost relieved, his eyes met mine.

AS TOLD TO REBECCA RAPHAEL

"I'm in love with her," he confessed. "She and I are soul mates." I was devastated. We'd been married for nearly 10 years—I'd thought *we* were soul mates. With nothing left to say, Gary left the house, and he didn't return that night.

While it had been horrible to learn of the affair, discovering the letters from his mistress was more upsetting. Once I knew about them, I felt compelled to search Gary's shop until I found them—and then I had to read them all.

A change of heart

■ The news of Gary's affair put his strange behavior into sharp perspective. Gary and I had always been extremely affectionate; we drove our friends crazy by always holding hands and saying "I love you" in public. We met at violin-making school and got married in 1988. We were best friends, and since we both also work in the music industry—I'm a concert violinist—we had a lot in common. By 1991, we had two children, and Gary had opened a violin shop. As busy as we were, though, we always made time for romance.

Then, in the spring of 1997, Gary started working late at the shop. I wasn't suspicious until the night he came home at 3 a.m.—and went straight into the shower. "Were you really working?" I asked as he toweled off. But when he said yes, I believed him, in part because our sex life was so passionate. ▷

But two months later, Gary stopped touching me. I felt rejected and asked him point-blank if he was having an affair.

"No, I'm just going through an identity crisis," he apologized. "Be patient." Though I didn't understand what his issues were, I took his word.

Still, our marriage continued to disintegrate. Gary ignored me completely and was even cruel at times—once, he yelled at me for walking too slowly.

For the next two months, I didn't question Gary's behavior. But finally, I begged him to tell me what was wrong.

Quietly, he said, "I don't want to be married anymore."

"Are you having an affair?" I asked him for the second time, frustrated and scared. But again, he denied it.

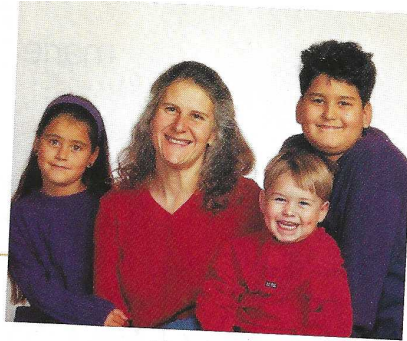
Then, the next afternoon, my friend called with the truth: Gary was seeing another woman. As hurt as I was, I still loved him and was desperate to save our marriage. Unfortunately, just a few days after our confrontation, he told me he wanted a divorce.

When our kids asked why he was moving out, I told them, "Daddy's having problems that are affecting our marriage." I believed that Gary's change of heart had little to do with me, and everything to do with the woman who had seduced him.

Taking a stand

I didn't return the letters I'd found. Once I hired a divorce lawyer, I brought them to her. She informed me that my state has no-fault divorce laws, so I couldn't sue Gary for cheating—but I *could* sue Cathy for alienation of affection. I had heard of this statute, which allows a spouse to sue the person who interfered with his or her marriage. But I was too distraught to think about suing, so I focused on my divorce.

However, one year after Gary and I separated, I did



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■ Candi is teaching her children, pictured here at ages 7, 3, and 9, to work at a relationship, not give up on it.

sue his mistress, Cathy, for \$1 million—\$100,000 for each of the 10 years Gary and I had been married. Though I knew I'd receive fair child support in the divorce settlement, I wanted Cathy to be held accountable for her actions. Most women would back off after learning a man had a family. Yet Cathy didn't—she even moved to our town once Gary left me. While he wasn't innocent, either, I knew he wouldn't have strayed if Cathy hadn't interfered.

I didn't try to hide the lawsuit from the children, who saw Gary twice a week. I simply explained that I was suing Dad's girlfriend, because dating a married man is wrong.

In court, Gary testified that he hadn't loved me for years and would have divorced me anyway. When Cathy took the stand, she claimed she'd told him to stay with his family.

Ultimately, though, the letters proved that Cathy had pursued Gary after meeting him at a violin convention, and that they'd first had sex at the same time that Gary stopped sleeping with me.

When the jury awarded me \$500,000, my eyes filled with tears. They had acknowledged that I'd had a happy marriage until Cathy seduced my husband. I was vindicated.

Cathy appealed the court's decision immediately, but, until the ruling is reversed, I receive \$550 from her every month. Ironically, her money goes toward my legal fees from my suit against her.

Some days, I regret ever starting this endless legal battle. But then I think about how good it feels to stand up for

myself. Many women in my situation might blame themselves for the breakup of their marriage. But I don't, because I know it wasn't my fault.

Today, I actually pity Gary. I think, deep down, he knows he made a mistake that hurt his family. Yet he's never apologized to me—or to our children.

Cathy hasn't apologized, either. In fact, we've never spoken at all. She now lives with Gary, and I'm sure our paths will cross one day. I used to imagine turning and running if I were to see her, but now I know I'm strong enough to look her in the eye.

This experience has forced me to become more comfortable speaking my mind. And it's reminded me to teach my children, now 12, 10, and 6, the importance of working at a relationship—romantic or otherwise—rather than giving it up for something new. □

Should a woman be allowed to sue her husband's mistress?

■ The "alienation of affection" law is currently in place in nine states: Alaska, Hawaii, Illinois, Mississippi, Missouri, New Mexico, North Carolina, South Carolina, and Utah. It dates back to the 1700s, when women were considered property. Today, both men and women sue using this law. In fact, each year, approximately 200 cases are filed in North Carolina alone. Recent suits have resulted in monetary awards ranging from \$30,000 to \$1 million.

■ In an Internet poll, we asked readers for their opinions. **59% said YES**, I think it's justified for a woman to sue her husband's mistress. **41% said NO**, I don't think a wife should be allowed to sue the "other woman."