

William A. Mark (9602)
 JOHNSON MARK LLC
Attorneys for Plaintiff
 PO Box 7811
 Sandy, UT 84091
 Tel 801-285-5700
 Fax 801-302-3610

**THIRD JUDICIAL DISTRICT COURT,
 STATE OF UTAH SALT LAKE COUNTY, WEST JORDAN DEPARTMENT**

CAPITAL ONE BANK (USA), N.A.,
 Plaintiff,
 vs.
 JULIO E MORENO,
 Defendant.

**GARNISHEE'S ANSWERS TO
 INTERROGATORIES FOR EARNINGS.**

Case No. 100413895
 Judge: MARK KOURIS

REDMAN VAN AND STORAGE,
 Garnishee.

If you are an employer who is garnishing earnings, the court has prepared an interactive worksheet that will calculate the amount to be withheld and prepare the Answers to Interrogatories form ready for filing. To use the worksheet, go to the Utah courts' website at <https://www.utcourts.gov>. The link to "*Employer's Answers to Garnishment Interrogatories*" is on the bottom of the right column. Note your session number. You may return to it and edit it for up to 120 days, making a continuing garnishment easier.

**** Note** that the judgment creditor may have submitted **additional interrogatories** herein that do not appear in the online form. It is your obligation to review these additional interrogatories and provide all relevant information the judgment creditor may desire in accordance with rule 64D(e)(7) of the Utah Rules of Civil Procedure.

(1)(a) Do you employ the judgment debtor?

ANSWER: ☒ Yes ☐ No (If "no" you must still answer questions 1(b) & (c).)

(1)(b) Provide the following information for the judgment debtor:

Last day of employment: _____

Last-known: Address _____

Phone # _____

Current: Employer _____

Address _____
Phone # _____
Fax # _____

- 1(c) If Defendant receives (or "received" if the judgment debtor is no longer employed by you), earnings by direct/electronic deposit, state the name of the bank or credit union:

If you answer "no" to (1)(a), complete 1(b) and 1(c), and then skip the remaining questions, sign this form, and mail it as indicated. If "yes," answer the remaining questions.

- (2)(a) Are there other Writs of Continuing Garnishment in effect?

ANSWER: ☐ Yes ☒ No

- (2)(b) If yes, when will they expire?

ANSWER: _____

- (3)(a) What is the judgment debtor's pay period?

ANSWER:

- ☐ Weekly
☒ Biweekly
☐ Semi-monthly
☐ Monthly
☐ Other (Describe): _____

- (3)(b) What is the pay period to which these answers relate?

ANSWER: Start Date: 12/5/11 End Date: 12/10/11 *

* The Writ served on you with this form is effective for 120 days after the date of service or for 120 days after the date a previous writ expires, whichever is later. If those 120 days end before the end date of the pay period, you are not required to withhold money from the debtor. Skip the remaining questions, sign this form, and mail it as indicated. Otherwise calculate the amount to be withheld.

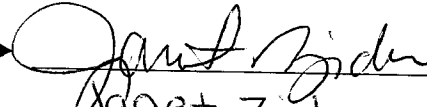
- (4) Calculate the amount to be withheld from the judgment debtor. (Assume you are calculating this on the last day of the pay period for which these answers apply.)

(4)(a) Gross earnings from all sources payable to the judgment debtor (Including wages, salaries, commissions, bonuses, or earnings from a pension or retirement program. Tips are generally not considered earnings for the purposes of the wage garnishment law.)	\$ 960.-
(4)(b) Deductions required by law	
(4)(b)(i) Federal income tax	\$ 53.75

(4)(b)(ii) State income tax	\$ 29.58
(4)(b)(iii) Social security tax (FICA)	\$ 49.14
(4)(b)(iv) Medicare tax (FICA)	\$
(4)(b)(v) Other amounts required by law to be deducted (Please describe reason for deduction.)	\$
(4)(c) Total deductions (Calculate & record the sum of (4)(b)(i) through (4)(b)(v).)	\$ 132.49
(4)(d) Disposable earnings (Calculate and record Line (4)(a) minus Line (4)(c).)	\$ 827.51
(4)(e) Calculate:	
(4)(e)(i) 25% of the amount in Line (4)(d); or, if this is a judgment for child support, 50% of the amount in Line (4)(d)	\$ 206.88
(4)(e)(ii) The difference between Line (4)(d) and the federal minimum hourly wage \$7.25) times 30 times the number of weeks in this pay period For example: (Weekly): Line (4)(d) minus \$7.25 X 30 X 1 week (Biweekly): Line (4)(d) minus \$7.25 X 30 X 2 weeks (Semi-monthly): Line (4)(d) minus \$7.25 X 30 X 2.16 weeks (Monthly) Line (4)(d) minus \$7.25 X 30 X 4.33 weeks	\$ 392.51
(4)(f) Record the lesser amount from Line (4)(e)(i) and Line (4)(e)(ii).	\$ 206.88
(4)(g) Amount of any other garnishment or income withholding order.	\$ 0
(4)(h) Calculate and record Line (4)(f) minus Line (4)(g)	\$ 206.88
(4)(i) Amount deducted for an undisputed debt owed to you by the ☐ judgment creditor ☐ judgment debtor (check one, both or neither)	\$ 0
(4)(j) Calculate and record Line (4)(h) minus Line (4)(i).	\$ 206.88
(4)(k) What is the balance owed on the judgment? (You may contact the judgment creditor or judgment creditor's attorney to obtain the outstanding balance.)	\$ 1984.00
(4)(l) Record the lesser amount from Line (4)(j) and Line (4)(k). (This is the amount to be withheld.)	\$ 206.88

I declare under criminal penalty of Utah Code Section 78B-5-705 that this Garnishee's Answers to Interrogatories for Earnings is true and correct.

Date 12/22/11

Sign here 

Print name Janet Zidon

Title Payroll

Company Bedman Van & Stg

Address 2571 W. 2590 S.

SLC, UT 84119

Phone No. 801-972-4420 ext. 336

Fax No. 801-972-6598

Certificate of Service: I certify that I served the following copies to the parties stated:

Recipient / Papers	Service Method	Service Address	Date
JOHNSON MARK LLC Plaintiff's Attorney -copy of these Answers to Interrogatories	☒ Mail ☐ Hand Delivery ☐ Fax: (801) 285-5701 ☐ Email to april@jmlaw.pro (Must be confirmed by reply.) ☐ Left at business (With person in charge.) ☐ Left at home (With person of suitable age and discretion residing there.)	If mail: PO Box 7811 Sandy, UT 84091	12/22/11
JUDGMENT DEBTOR -copy of Writ of Garnishment -copy of these Answers to Interrog -copy of Notice of Exempt / Garn -2 copies of Reply / Req Hearing	☐ Mail ☐ Hand Delivery ☐ Fax (Person agreed to this.) ☒ Employee Payroll website ☐ Left at home (With person of suitable age and discretion residing there.)		12/22/11
PERSON CLAIMING INTEREST -copy of Writ of Garnishment -copy of these Answers to Interrog -copy of Notice of Exempt / Garn -2 copies of Reply / Req Hearing	☐ Mail ☐ Hand Delivery ☐ Fax (Person agreed to this.) ☐ Email (Person agreed to this.) ☐ Left at home (With person of suitable age and discretion residing there.)		