

The Order of the Court is stated below:

Dated: April 13, 2016

08:48:06 AM

/s/ Sarine Lindhardt
District Court Clerk



SERVED 13:05 TITLE DEB.
DATE 4-20-16 TIME 13:05
WASATCH INVESTIGATIONS #P100877
P.O. BOX 702172 SLC, UT 84172 (801) 773-8220

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ACCOUNT# 7901226 24

DISTRICT COURT OF THE STATE OF UTAH

THIRD JUDICIAL DISTRICT

SALT LAKE COUNTY

SALT LAKE CITY

Court Address: 450 S STATE ST SALT LAKE CITY UT 84111

BONNEVILLE BILLING & COLLECTIONS, INC.

A Utah Corporation

Plaintiff

vs.

WRIT OF CONTINUING

GARNISHMENT AND INSTRUCTIONS

Judgment for: Other

JOHN FALANIKO WILLIAMS

***-**-7333

575-08-7333

Defendant CIVIL # 159906503

JUDGE SU CHON

The District court of the state of Utah to REDMAN STORAGE ATTN:CRYSTAL,
garnishee, at 2571 W 2590 S WEST VALLEY CITY, UT 84111 801-972-4420 :

1. Under Utah State Code, the plaintiff should have included
with this Writ of Garnishment a fee to you. If the fee was not
included, sign here and return to the plaintiff (or plaintiff's attorney).

2. A judgment has been entered against the judgment debtor. After
calculation of interest, costs and payments, the judgment debtor
still owes \$ 5802.00. Papers filed with the court show that you
may possess or control some of the defendant's property. (Property includes
real and personal property. Property includes money, including earnings not

yet paid.) The property is being garnished (seized) in order to pay the judgment. You are the garnishee, (holder of the property) and you are required to take certain steps to deliver the property to hold and protect it. You may be held liable if you fail to do so. You should keep for your records a copy of everything that you prepare and everything that is served on you.

3. The judgment debtor is:

Name: JOHN FALANIKO WILLIAMS
Address: 2651 S BRYANT DR
MAGNA UT 84044-1377
Social Security number:***-**-7333
Driver's license number and state of issuance (if known):
Date of birth (if known):

4. Within 7 business days after this writ is served on you, you must:

- (A) answer the attached Interrogatories under oath or affirmation:
- (B) serve a copy of your Answers to the Interrogatories on the plaintiff (or plaintiff's attorney);
- (C) serve a copy of the following papers on the defendant and on any other person shown by your records to have an interest in the property. The papers to be served are:
 - > one copy of this Writ of Continuing Garnishment;
 - > one copy of your Answers to the Interrogatories;
 - > one copy of the Notice of Garnishment and Exemptions form; and
 - > two copies of the Reply and Request for Hearing form.

5. You may serve the plaintiff (or plaintiff's attorney), the defendant, and any other person by hand delivery or by first class mail. The address of the plaintiff (or plaintiff's attorney) is at the top of the first page of this writ. The address of the defendant is: 2651 S BRYANT DR MAGNA UT 84044-1377

6. There are two sets of Answers to the Interrogatory forms: one is for the initial pay period and one for subsequent pay periods.

(A) If the defendant's earnings are the same for every pay period, you may copy your answers for the initial pay period and re-submit them for subsequent pay periods.

(B) If the defendant's earnings change from one pay period to the next, you may use the Answers to the Interrogatories for Subsequent Pay Period form, which is shorter than the first. If you have been served with only one copy of the Answers to Interrogatories for Subsequent Pay Periods form, you should make additional blank copies before completing it.

(C) If you are an employer who is garnishing earnings, the Utah courts have prepared an interactive worksheet that will calculate the amount to be withheld and prepare an Answers to the Interrogatories form ready for filing. To use the

worksheet

go to the Utah courts' web site at www.utcourts.gov. Follow the links to Resources/Court Forms/Garnishment Forms/Employer's Answers to Interrogatories.

7. This Writ of Continuing Garnishment is effective until the earlier of the following: one year; or 120 days after service of a second or subsequent writ of continuing garnishment. Within 7 business days after the close of each period occurring within that time, you are required to:

- (A) answer the attached Interrogatories under oath or affirmation;
- (B) serve a copy of your Answers to the Interrogatories on the plaintiff (or plaintiff's attorney); the defendant and or any other person shown by your records to have an interest in the property; and

8. What to do with the property for the initial and subsequent pay periods:

(A) You must withhold from the defendant the amount shown in your Answers to the Interrogatories. You must hold the property for 21 days after you serve the defendant.

(B) If you do not receive a Reply and Request for Hearing within 21 days after serving the defendant, you must deliver the property to the plaintiff (or plaintiff's attorney). You are then relieved from any liability unless your answers are incorrect. DO NOT SEND THE MONEY TO THE COURT.

(C) If you do receive a Reply and Request for Hearing, you must hold the property until you receive further orders from the court directing you how to proceed.

9. If you fail to take these steps, the court may hold you liable for the value of the property you should have withheld.

10. You may deliver to the defendant in the normal course any property greater than you are required to withhold.

11. You may be served with more than one Writ of Continuing Garnishment for the same defendant, but only one Writ of Continuing Garnishment may be in effect at one time. You must satisfy the writs in the order in which they are served. When an earlier Writ of Continuing Garnishment expires or is satisfied, you must then satisfy the next writ. However, a Writ of Continuing Garnishment in favor of the Office of Recovery Services or the Department of Workforce Services takes precedence over other writs and must be satisfied first. Also, a Writ of Continuing Garnishment in favor of the Office of Recovery Services or the Department of Workforce Services continues indefinitely until fully satisfied, placing earlier writs on hold. These instructions do not apply to writs or orders entered by courts of other states or governmental agencies.

*****SIGNATURE APPEARS AT THE TOP OF THE FIRST PAGE *****

Summary Instructions for Writs of Garnishment

For the Judgment Creditor (Plaintiff)

1. Complete the Application for Writ of Garnishment form.
2. Complete the correct Writ of Garnishment form.
3. Complete the caption (top half of the first page) for the correct Answers to Interrogatories form.
4. Complete the caption for the Reply and Request for Hearing form.
5. Attach a check to the garnishee for \$10 for a single garnishment or \$25 for a continuing garnishment.
6. Attach a check to the sheriff or constable for the service fee.
7. Attach a check to the court for \$50 for the filing fee.
8. File all forms and checks with the clerk of the court.
9. Attend any hearings that are scheduled.

For the Judgment Debtor (Defendant)

1. Read the Notice of Garnishment and Exemptions form.
2. Determine whether you qualify for any exemptions.
3. If you want to claim an exemption, challenge the garnishee's answers to the interrogatories, challenge the issuance of the writ, or claim a set-off for a debt owed to you by the creditor, file and serve the Reply and Request for Hearing form.
4. Attend any hearings that are scheduled.

For the Garnishee (Holder of debtor's property, such as a bank or employer)

1. Read the Writ of Garnishment and Instructions.
2. Complete the Answers to the Interrogatories form.
3. Employers, visit the Utah courts' web site at www.utcourts.gov to decide whether it is easier to complete the Answers to the Interrogatories on-line or in paper form. Follow the links to the Resources/Courts Forms/Garnishment Forms/Employer's Answers to Interrogatories.
4. Withhold from the defendant the property shown by your answers to be subject to garnishment.
5. File and serve your Answers to the Interrogatories and other forms.
6. Withhold the property for 21 days.
7. If you receive a Reply and Request for Hearing form, continue to withhold the property until instructed by the court.
8. If you do not receive a Reply and Request for Hearing form, deliver the property to the plaintiff or plaintiff's attorney or as otherwise instructed in the Writ of Garnishment.
9. You must attend any hearing for which you are subpoenaed. You may attend any other hearings that are scheduled.

7901226 24

REDMAN STORAGE ATTN:CRYSTAL
2571 W 2590 S
WEST VALLEY CITY, UT 84111
801-972-4420

DISTRICT COURT OF THE STATE OF UTAH
THIRD JUDICIAL DISTRICT
SALT LAKE COUNTY
SALT LAKE CITY

Court Address: 450 S STATE ST SALT LAKE CITY UT 84111

BONNEVILLE BILLING & COLLECTIONS, INC.
A Utah Corporation
Plaintiff

Garnishee's answers to
interrogatories for
continuing garnishment.
Initial pay period.

Vs.

Case Number: 159906503

JOHN FALANIKO WILLIAMS

Judge: SU CHON

1. Write your answers in the spaces provided and attach additional sheets if necessary.

2. Are there any other Writs of Continuing Garnishment in effect?

ANSWER: Yes ☒ No ☐

3. If yes, when will the last of them expire?

ANSWER: 120 days - 8/18/16

4. What is the pay period to which these answers relate:

ANSWER:

Start date: _____

End date: _____

5. Is the Writ of Continuing Garnishment in effect on the last day of this period? (The Writ is in effect for one year from the effective date or 120 days after service of a second or subsequent writ of continuing garnishment. A Writ of Continuing Garnishment in favor of the Office of Recovery Services or the Department of Workforce Services is effective when served on you and continues indefinitely until fully satisfied.)

ANSWER: Yes ☐ No ☒

6. (A) Do you pay the defendant money on a periodic basis?

ANSWER: Yes ___ No ___

(B) What is the pay period?

ANSWER: Weekly ___; Biweekly ___; Semi-monthly ___;
Monthly ___; Other ___.

(C) What is the next pay date?

ANSWER: _____

(D) What is the regular pay date?

ANSWER: _____

7. Calculate, in the table, the amount to be withheld from the defendant. Assume you are calculating this on the last day of the pay period for which these answers apply.

ANSWER:

7a. Gross earning from all sources payable to the defendant for personal services, including salary, wages, tips, commissions, bonuses, per diem reimbursement of expenses, etc.	\$
7b. Deductions required by law.	
7b(i) Federal income tax	\$
7b(ii) State income tax	\$
7b(iii) Social security tax (FICA)	\$
7b(iv) Medicare tax (FICA)	\$
7b(v) Other amounts required by law to be deducted. (Please describe reason for deduction.)	\$
7c. Total deductions. Calculate and record the sum of Line 7b(i) through 7b(v).	\$
7d. Disposable earnings. Calculate and record Lines 7a minus Line 7c	\$
7e. Calculate:	
7e(i) 25% of the amount in Line 7d; or, if this is a judgment for child support, 50% of the amount in Line 7d.	\$
7e(ii) The difference between Line 7d and the federal minimum hourly wage (\$7.25) times 30 times the number of weeks in this pay period. For example: Line 7d minus (\$7.25 X 30 X 2 weeks) OR Line 7d minus (\$7.25 X 30 X 4.28 weeks)	\$
7f Of Line 7e(i) and Line 7e(ii) record the lesser amount.	\$
7g Amount of any income withholding order	\$
7h Calculate and record Line 7f minus Line 7g	\$
7i. Amount deducted for an undisputed debt owed to you by the (check one or both) plaintiff defendant.	\$
7j. Total amount to be withheld. (Calculate and record Line 7h minus Line 7i)	\$

Note: Do not hold more than the balance the defendant owes on the judgment. You may contact the plaintiff or plaintiff's attorney to obtain the outstanding balance.

8. Do you possess or control any other property or money in which defendant has an interest?

ANSWER: Yes ___ No ___

9. If yes, explain in the table below.

ANSWER:

Description of the property	Nature of defendant's interest in the property	The property is due to the defendant on (date)	Value of defendant's interest in the property
		Total	

(Add this amount to the amount calculated in the table for Question 6. You should handle the property as directed in the Writ of Garnishment.)

10. Do you know of any other employment, income, or income-producing activities of the defendant?

ANSWER: Yes ___ No ___

11. If yes, explain in the space below.

ANSWER: _____

12. Do you know about any of the defendant's other property or other debts to defendant?

ANSWER: Yes ___ No ___

13. If yes, explain in the table below.

ANSWER:

Description of property	Name and address of person with possession	Nature and value of defendant's interest

14. I served a copy of these Answers to Interrogatories on the **plaintiff** (or plaintiff's attorney) by:

first class mail ☒

by hand delivery ___

to (address) _____

on (date) 04-21-16

15. I served a copy of the Writ of Garnishment, these Answers to Interrogatories, Notice of Garnishment and Exemptions form, and two copies of the Reply and Request for Hearing form on the **defendant** by:

first class mail _____

by hand delivery ☒ _____

to (address) _____

on (date) _____

Redman Van & Storage
4/21/16

16. I served a copy of the Writ of Garnishment, these Answers to Interrogatories, Notice of Garnishment and Exemptions form, and two copies of the Reply and Request for Hearing form upon **following persons other than the defendant shown by my records to have an interest in the property** by:

first class mail _____

by hand delivery _____

to (name) _____

to (address) _____

on (date) _____

I declare under penalty of Section 46-5-101 that this document is true and correct.

Date: 4/21/16

Sign here

Janet Zidon

Typed or printed name

Janet Zidon

Payroll clerk's phone number:

801-972-4420 ext 330

Payroll clerk's email address:

redmanap@redmanvan.com

NOTICE OF GARNISHMENT AND EXEMPTIONS

NOTICE: YOUR PROPERTY MAY BE TAKEN TO PAY A CREDITOR. PLEASE READ THIS CAREFULLY.

1. If you are the defendant in this action, your rights may be affected. You should read this notice and take steps to protect your rights.

2. If you are not the defendant in this action, papers filed with the court indicate that you may have an interest in the defendant's property. Your rights may be affected, and you should read this notice and take steps to protect your rights.

3. The garnishee (someone who possesses your property) has been ordered to hold your property. This means that you cannot obtain the property and it may be used to pay a judgment creditor.

4. Certain property and money are exempt from execution (cannot be seized). The following is a partial list of exempt property and money, but these exemptions might not apply, to judgments for alimony or child support.

- (A) A burial plot for you and your family.
- (B) Health aids.
- (C) Benefits because of disability, illness or unemployment.
- (D) Medical care benefits.
- (E) Veteran's benefits.
- (F) Social Security benefits.
- (G) Supplemental security income benefits (SSI).
- (H) Worker's compensation benefits.
- (I) Certain retirement benefits.
- (J) Public assistance.
- (K) Money or property for child support, alimony or separate maintenance.
- (L) Certain furnishings, appliances, carpets, animals, books, musical instruments, and heirlooms.
- (M) Provisions for 12 months.
- (N) Wearing apparel, not including jewelry or furs.
- (O) Beds and bedding.
- (P) Certain works for art.
- (Q) Compensatory damages from bodily injury or wrongful death.
- (R) The proceeds of certain life insurance contracts and trusts.
- (S) Books, implements and tools of a trade.
- (T) A personal motor vehicle.
- (U) A motor vehicle used in trade or business.
- (V) Part of your wages.
- (W) Property of a person who did not have a judgment entered against him or her, such as the co-owner of the property being held.

5. You should consult the Utah Exemption Act, Utah Code Title 78, Chapter 23. (Available at: http://www.le.state.ut.us/~code/TITLE78/78_1E.htm). There is no exemption solely because you are having difficulty paying your debts.

6. If you believe that a Writ of Garnishment was issued improperly, that the Answers to Interrogatories are inaccurate, that the judgment creditor owes you money or that you are entitled to an exemption, DO THE FOLLOWING IMMEDIATELY. You have a deadline of 14 business days from the date the garnishee mailed or delivered this notice to you.

(A) Complete the attached "Reply and Request for Hearing" form.

(B) Sign your name in the space provided and write the address at which the court clerk should notify you of the hearing.

(C) Mail or deliver the form to: the court clerk, the plaintiff, (or plaintiff's attorney) and the garnishee. Keep a copy for your records. The name and address of the clerk of the court, the plaintiff, (or plaintiff's attorney) and the garnishee are on the Writ of Garnishment.

7. The Court clerk will schedule the matter for hearing and notify you. You should file with the Reply and Request for Hearing form or bring to the hearing any documents that help you prove your property is exempt.

8. If you fail to take these steps, the property being held may be used to pay a judgment creditor.

9. You may consult an attorney and have the attorney represent you at the hearing.

G. SCOTT JENSEN (#4990)
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JENSEN & SULLIVAN, LLC.
P O BOX 150612

7901226 24

Ogden, Utah 84415

Telephone: 801-627-2726 or 800-609-6891 (Fax) 801-627-1534

[] I am the [] Plaintiff/Petitioner []
Defendant/Respondent.

[X] I am the attorney for the [X] Plaintiff/Petitioner []
Defendant/Respondent, and my Utah State Bar number is

DISTRICT COURT OF THE STATE OF UTAH
THIRD JUDICIAL DISTRICT
SALT LAKE COUNTY
SALT LAKE CITY

BONNEVILLE BILLING & COLLECTIONS, INC.
A UTAH CORPORATION

Plaintiff

REPLY AND REQUEST FOR HEARING

vs

CIVIL# 159906503

JOHN FALANIKO WILLIAMS

Defendant

JUDGE SU CHON

1. I have read the Notice of Garnishment and Exemptions form.
2. I request that this matter be scheduled for a hearing.
3. The garnished property is:
[] Funds in an account
[] Wages
[] Other Property
4. The Writ of Garnishment was issued improperly because:

5. The Answers to Interrogatories are inaccurate because:

6. All [or this part: \$_____] of the funds in my account are exempt because they are:

- ☐ Benefits because of disability, illness or unemployment
- ☐ Medical care benefits
- ☐ Veterans' benefits
- ☐ Social security benefits.
- ☐ Supplemental security income benefits (SSI)
- ☐ Workers compensation benefits.
- ☐ Retirement benefits.
- ☐ Public assistance.
- ☐ Money for child support, alimony or separate maintenance.
- ☐ Compensatory damages from bodily injury or wrongful death.
- ☐ The proceeds of a life insurance contract or trust.
- ☐ Exempt wages.
- ☐ Owned by another person.
- ☐ Other. Explain.

7. The judgment creditor owes me money because:

8. I claim ownership of all or part of the money or property taken, and I am not one of the persons against whom a judgment was entered. (Explain)

I have not included any non-public information in this document.

I declare under penalty of Utah Code Section 78B-5-705 that everything stated in this document is true.

Dated: _____

Sign here: _____

Printed name: _____

CERTIFICATE OF SERVICE

I certify that I served a copy of this Reply and Request for Hearing on the following people.

Person's Name: _____

Method of Service:

first class mail []

by hand delivery []

served at this address _____

served on this date: _____

Clerk of the Court:

first class mail ____

by hand delivery ____

to _____

on _____

Date: _____ Sign here _____

Typed or printed name _____