

ATTORNEYS AT LAW

Payment Processing Center

P.O. Box 7811

Sandy, Utah 84091-7811

Toll Free: 866-356-3838

Fax: 877-288-5701

March 13, 2019

APR 0.3 2019

REDMAN VAN & STORAGE COMPANY. 2571 W 2590 S SALT LAKE CITY UT 84119

RE:

CACH, LLC vs PAULETTE ALLRED

Case No.189904983

To Whom It May Concern:

Please find enclosed a Writ of Garnishment issued by the court. For privacy reasons social security numbers must be redacted on court documents. In order to facilitate processing of this garnishment the full social security number is provided below.

Paulette Allred

Social Security Number: 567157755

In order to protect private information we ask that you please destroy this cover letter immediately upon identifying the subject's accounts.

Here are some bullet points to help process this garnishment:

- Rule 64D(1)(2) of Utah Rules of Civil Procedure provides that a continuing garnishment is effective for one year from the date of service of the writ if this is the first writ of continuing garnishment and 120 days after service of a second or subsequent writ of continuing garnishment.
- You are to deduct 25% of the employee's disposable/net earnings, as long as they are above the federal minimum amount. Insurance and 401K deductions are not allowed by law and the 25% should be taken prior to these deductions.
- Please make the checks payable to Johnson Mark LLC and mail them to P.O. Box 7811 Sandy, UT 84091 along with the answers to the attached interrogatories. A copy must also be mailed to the employee but not to the Court.
- The first payment is due 20 days after the date you were served this garnishment, unless the employee has requested a hearing. If they do, please continue to deduct, however hold all funds until you receive instructions from the Court.

Thank you for your cooperation in this matter.

The Order of the Court is stated below:

Dated: March 07, 2019

08:46:55 AM

d below:
/s/ RUSSELL TITENSOR
District Court Clerk

Sean Morrissey (13083)
Bronson Bills (10185)
Johnson Mark LLC
Attorneys for Plaintiff
P.O. Box 7811
Sandy, UT 84091
Tel 801-285-5700
Fax 801-285-5701
utahattorneys@jmlaw.com

Served By: Russ Swonson
Title: Private Investigator
Date: 3 - 2 AMPM
Time: 7 - 3 AMPM
Served To: B. I Private Investigator
Representation of Bank Business; Credit Union

THIRD JUDICIAL DISTRICT COURT, STATE OF UTAH SALT LAKE COUNTY, SALT LAKE CITY DEPARTMENT

CACH, LLC,

Plaintiff,

VS.

PAULETTE ALLRED,

Defendant

WRIT OF CONTINUING
GARNISHMENT AND INSTRUCTIONS
(EARNINGS)

Case No.189904983 Judge: Su Chon

THE SALT LAKE DISTRICT COURT OF THE STATE OF UTAH, REDMAN VAN & STORAGE COMPANY. garnishee, at 2571 W 2590 S SALT LAKE CITY, UT 84119

- 1. Under Utah Code Section 78A-2-216, the Plaintiff should have included with this Writ of Garnishment a fee to you of \$25.00. If the fee was not included, sign here and return the forms 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 owes \$1,509.81. Additionally, interest and court costs continue to accrue. Please call (801) 285-5754 for a balance update. Papers filed with the court show that you may possess or control some of the judgment debtor'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. If you are the Garnishee (holder of the property), you are required to take certain steps to deliver the property or 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: PAULETTE ALLRED
Address: 4963 W Valley View Dr
West Valley UT, 841204807
Social security number: XXX-XX-7755
Driver's license number and state of issuance (if known):
Date of birth (if known): 11/26/1956

- 4. Within 7 business days after this writ is served on you, you must:
 - (A) answer the attached Interrogatories;
 - (B) serve a copy of your Answers to Interrogatories on the judgment creditor (or judgment creditor's attorney);
 - (C) serve a copy of the following papers on the judgment debtor 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 judgment creditor (or judgment creditor's attorney), the judgment debtor and any other person by hand delivery or by first class mail. The addresses of the judgment creditor (or judgment creditor's attorney) is at the top of the first page of this writ.
- 6. This Writ of Continuing Garnishment is effective for one (1) year after the date on which it was served on you or 120 calendar days after the date of expiration of an earlier writ. Within 7 business days after the close of each pay period occurring within the one year (or the 120 days), you must:
 - (A) answer the attached Interrogatories;
 - (B) serve a copy of your Answers to Interrogatories on the judgment creditor (or judgment creditor's attorney); the judgment debtor and on any other person shown by your records to have an interest in the property.
- What to do with the property.
 - (A) DO NOT SEND THE PROPERTY TO THE COURT. You are to withhold from the judgment debtor the amount shown in your Answers to Interrogatories. You are to hold the amount for 20 calendar days after you serve the judgment debtor, but you may pay to the defendant the balance of his or her wages.
 - (B) If you do not receive from the judgment debtor a Reply and Request for Hearing within 20 days after serving the judgment debtor, you are to deliver the property to the judgment creditor (or judgment creditor's attorney). You are then relieved from any liability unless it is shown that your Answers to the Interrogatories are

incorrect.

- (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.
- 8. If you fail to take these steps, the court may hold you liable for the value of the property you should have withheld.
- 9. You may deliver to the judgment debtor any property greater than you are required to withhold.
- 10. Multiple Writs of Garnishment for the same judgment debtor may be served on you, but only one Writ of 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 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 other courts or governmental agencies.
- 11. For more information about writs of garnishment, go to the court's website at:

 http://www.utcourt.gov/resources/forms/garnishment

 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. Some individuals may not be able to use the state calculator if they need to garnish at a custom rate and must manually calculate the correct amount. To use the worksheet, go to the Utah courts' website at https://www.utcourts.gov/ocap/index.html. You will need to set up an OCAP account.
 - **Note that the judgment creditor may have submitted additional interrogatories that do not appear on 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.

If the garnishee has any questions regarding this writ please call (801)285-5754. If the defendant has any questions please call Johnson Mark LLC at (801) 285-5700.

****** SIGNATURE AND DATE AT THE TOP OF THE FIRST PAGE*******

My Name			
Address			
City, State, Zip			
Phone			
Email			
	JUDICIAL DISTRIC		
CACH, LLC,	KE COUNTY, SALT	LAKE CITY DE	PARIMENI
Plaintiff,		REPLY AN	ND REQUEST FOR A
vs.			HEARING
PAULETTE ALLRED,		G N 1000040	0.2
Defendant		Case No.18990499 Judge: Su Chon	83
REDMAN VAN & STO	RAGE COMPANY.		
Instructions: You must attach	the following records and f	forms if they are not all	ready filed with the court.
Write the p Any docur	paragraph number on the ments supporting your o	ne continuation pag claims	hat don't have enough space. ge.) Tyou are appearing on behalf of
your client.)			
(1) I have read the	☐ I have read the Notice of Garnishment and Exemptions form.		
(2) I request that the	I request that this matter be scheduled for a hearing.		
The garnished property is:			
☐ Funds in an acc	☐ Funds in an account ☐ Wages ☐ Other Property		
(4) The Writ of Garnishment was issued improperly because:			
(5) The Answers to	o Interrogatories are ina	accurate because:	

(6)	All [or this part: \$] of the property is exempt because it is:
	☐ Benefits because of disability, illness ☐ Medical care benefits.	or unemployment.
	☐ Veteran's benefits.	
	☐ Social security benefits.☐ Supplemental security income benefit	s (SSI).
	☐ Workers' compensation benefits. ☐ Retirement benefits.	
	Public assistance.	
	☐ Money for child support, alimony or s☐ Compensatory damages from bodily in	
	☐ The proceeds of a life insurance contr☐ Exempt wages.	act or trust.
	Owned by another person.	
	Other. Explain.	
(7)	☐ The judgment creditor owes me mone	y because:
(8)	☐ I claim ownership of all or part of the persons against whom a judgment was e	money or property taken, and I am not one of the ntered. Explain.
I decl	are under criminal negalty of Utah Code S	ection 78B-5-705 that this Reply and Request for
	ing is true and correct.	conon, ob a five man mo respin and resqueet for
Date	Sign h	ere ▶
	Typed or 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	Served at this Address	Served on this Date	
(Other Porty or Attenday)	Mail Hand Delivery Fax (Person agreed to service by fax.) Email (Person agreed to service by email.) Left at business (With person in charge or in receptacle for deliveries.) Left at home (With person of suitable age and			
(Other Party or Attorney) (Clerk of Court)	discretion residing there.) Mail Hand Delivery Electronic File			
	Mail Hand Delivery Fax (Person agreed to service by fax.) Email (Person agreed to service by email.) Left at business (With person in charge or in receptacle for deliveries.) Left at home (With person of suitable age and discretion residing there.)			
	Mail Hand Delivery Fax (Person agreed to service by fax.) Email (Person agreed to service by email.) Left at business (With person in charge or in receptacle for deliveries.) Left at home (With person of suitable age and discretion residing there.)			
Date	Sign here ►			

My Name			
Address			
City, State, Zip			
Phone			
Email			
	T COURT, STATE OF UTAH LAKE CITY DEPARTMENT		
CACH, LLC,			
Plaintiff,	REPLY AND REQUEST FOR A		
vs. PAULETTE ALLRED,	HEARING		
Defendant	Case No.189904983		
	Judge: Su Chon		
REDMAN VAN & STORAGE COMPANY. Garnishee.			
Instructions: You must attach the following records and	forms if they are not already filed with the court.		
☐ Continuation pages (If any, comp Write the paragraph number on th ☐ Any documents supporting your of			
By and through my attorney, I say that: (a your client.)	Attorney, check here if you are appearing on behalf of		
(1) I have read the Notice of Garnishment	☐ I have read the Notice of Garnishment and Exemptions form.		
☐ 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 ina	accurate because:		

(6) All [or this pa	art: \$	of the property is exempt because it is:
☐ Medical care ☐ Veteran's ber ☐ Social securit ☐ Supplementa ☐ Workers' cor ☐ Retirement be ☐ Public assista ☐ Money for ch ☐ Compensator	nefits. by benefits. I security income benefits inpensation benefits. enefits. ince. hild support, alimony or sety damages from bodily in of a life insurance contracts. other person.	(SSI). parate maintenance. jury or wrongful death.
(7) The judgmen	t creditor owes me money	because:
	whom a judgment was en	noney or property taken, and I am not one of the tered. Explain.
I declare under crimina Hearing is true and cor		ction 78B-5-705 that this Reply and Request for
Date	Sign he	re ▶
	Typed or printed	name

Certificate of Service				
I certify that I s	erved a copy of this Reply and Request for Hea	ring on the following people	le.	
			Served on	
Person's Name	Method of Service	Served at this Address	this Date	
	Mail			
	☐ Hand Delivery	1		
	Fax (Person agreed to service by fax.)			
	Email (Person agreed to service by email.)			
	Left at business (With person in charge or in			
	receptacle for deliveries.)			
(Other Bests on Attended)	Left at home (With person of suitable age and			
(Other Party or Attorney)	discretion residing there.) Mail			
	Hand Delivery			
(Clerk of Court)	Electronic File			
(Clerk of Court)	Mail			
	Hand Delivery			
	Fax (Person agreed to service by fax.)			
	Email (Person agreed to service by email.) Left at business (With person in charge or in			
	receptacle for deliveries.)			
	Left at home (With person of suitable age and			
	discretion residing there.)			
	Mail			
	Hand Delivery			
	Fax (Person agreed to service by fax.)			
	Email (Person agreed to service by email.)			
1	Left at business (With person in charge or in			
	receptacle for deliveries.)			
	Left at home (With person of suitable age and			
	discretion residing there.)			
Date	Sign here ▶			
	T1			
	Typed or printed name			

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

- (1) If you are the judgment debtor 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 judgment debtor in this action, papers filed with the court indicate that you may have an interest in the judgment debtor'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 garnished). The following is a partial list of exempt property and money, but some of these exemptions might not apply to judgments for alimony or child support.

A burial plot for you and your family.

Health aids.

Benefits because of disability, illness or unemployment.

Medical care benefits.

Veteran's benefits.

Social security benefits.

Supplemental security income benefits (SSI).

Workers' compensation benefits.

Certain retirement benefits.

Public assistance.

Money or property for child support, alimony or separate maintenance.

Certain furnishings, appliances, carpets, animals, books, musical instruments, and heirlooms.

Provisions for 12 months.

Wearing apparel, not including jewelry or furs.

Beds and bedding.

Certain works of art.

Compensatory damages from bodily injury or wrongful

The proceeds of certain life insurance contracts and trusts.

Books, implements and tools of a trade.

A personal motor vehicle.

A motor vehicle used in trade or business.

Part of your wages.

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 <u>Utah Code Title 78B, Chapter 5, Part 5, Utah Exemptions Act</u> for full information about exemptions. There is no exemption solely because you are having difficulty paying your debts.
- (6) If you believe that the 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 10 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.
- (C) Mail or deliver the form to: the court clerk, the judgment creditor, (or judgment creditor's attorney) and the Garnishee. Keep a copy for your records. The name and address of the court, the judgment creditor, (or judgment creditor's attorney) and the Garnishee are on the first page of 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 claim.
- (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.

Online Court Assistance Program

Business Name:

REdman Van & Storage

Address:

2571 W 2590 S

Salt Lake City UT 84119-

Phone: Fax:

(801) 972-4420 (801) 972-6598

Email:

redmanap@xmission.com

IN THE DISTRICT COURT OF THE STATE OF UTAH
THIRD JUDICIAL DISTRICT, SALT LAKE COUNTY
450 South State

CACH, LLC
Plaintiff/Petitioner

Garnishee's Answers to Interrogatories for Earnings

٧.

Case Number: 189904983

PAULETTE ALLRED
Defendant/Respondent

Judge: Su Chon

Commissioner:

(1) Do you employ the judgment debtor?

ANSWER: Yes

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

ANSWER: No

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

ANSWER:

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

ANSWER: Biweekly

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

ANSWER: Start Date: April 1, 2019 End Date: April 14, 2019

*The Writ served on you with this form is effective for one year after the date of service or for 120 days after the date of a second or subsequent writ of continuing garnishment. If the days of the garnishment term 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.) (4)(b) Deductions required by law (4)(b)(ii) Federal income tax (4)(b)(iii) Social security tax (FICA) (4)(b)(iv) Medicare tax (FICA) (4)(b)(iv) Medicare tax (FICA) (4)(b)(iv) 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).) (4)(e) Calculate: (4)(e) Calculate: (4)(e)(ii) 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) (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 hours X 1 week) (Biweekly): Line (4)(d) minus (\$7.25 X 30 hours X 26 weeks + 12 months) (Monthly) Line (4)(d) minus (\$7.25 X 30 hours X 26 weeks + 12 months) (4)(f) Record the lesser amount from Line (4)(e)(i) and Line (4)(e)(ii). (4)(i) Amount of any other garnishment or income withholding order. (4)(f) Amount deducted for an undisputed debt owed to you by the [
retirement program. Tips are generally not considered earnings for the purposes of the wage garnishment law.) (4)(b) Deductions required by law (4)(b)(ii) State income tax (4)(b)(iii) Scoial security tax (FICA) (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).) (4)(d) Disposable earnings (Calculate and record Line (4)(a) minus Line (4)(c).) (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) (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 hours X 1 week) (Biweekly): Line (4)(d) minus (\$7.25 X 30 hours X 2 weeks) (Semi-monthly): Line (4)(d) minus (\$7.25 X 30 hours X 2 weeks) (Semi-monthly): Line (4)(d) minus (\$7.25 X 30 hours X 2 weeks) (Semi-monthly): Line (4)(d) minus (\$7.25 X 30 hours X 2 weeks) (Semi-monthly): Line (4)(d) minus (\$7.25 X 30 hours X 2 weeks) (Semi-monthly): Line (4)(d) minus (\$7.25 X 30 hours X 2 weeks) (Semi-monthly): Line (4)(d) minus (\$7.25 X 30 hours X 2 weeks) (Semi-monthly): Line (4)(d) minus (\$7.25 X 30 hours X 2 weeks) (Semi-monthly): Line (4)(d) minus (\$7.25 X 30 hours X 2 weeks) (Semi-monthly): Line (4)(d) minus (\$7.25 X 30 hours X 2 weeks) (Semi-monthly): Line (4)(d) minus (\$7.25 X 30 hours X 2 weeks) (Semi-monthly): Line (4)(d) minus (\$7.25 X 30 hours X 2 weeks) (Semi-monthly): Line (4)(d) minus (\$7.25 X 30 hours X 2 weeks) (Semi-monthly): Line (4)(d) minus (\$7.25 X 30 hours X 2 weeks) (Semi-monthly): Line (4)(d) minus (\$7.25 X 30 hours X 2 weeks) (Semi-monthly): Line (4)(d) minus (\$7.25 X 30 hours X 2 weeks) (Semi-monthly): Line (4)(d) minus (\$7.25 X 30 hours X 2 weeks) (Semi-monthly): Line (4)(d) minus (\$7.25 X 30 hours X 2 weeks) (Semi-monthly): Line (4)(d) mi	(4)(a) Gross earnings from all sources payable to the judgment debtor	
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		\$
the amount to be withheld.)		•
	the amount to be withheld.)	Φ

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

Service Type	Address	Service Date
Mail	CACH, LLC P O BOX 7811 SANDY, UT 84091-	April 8, 2019

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 **judgment debtor** by:

Service Type	Address	Service Date
Hand Deliver	PAULETTE ALLRED EMPLOYEE WEBSITE SALT LAKE CITY, UT 84119-	April 8, 2019

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 the following persons other than the defendant shown by my records to have an interest in the property:

Service Type	Address	Service Date

I declare under criminal penalty under the law of Utah that everything stated in this document is true. Signed at: **SALT LAKE CITY, UT**

April 8, 2019	Signature	a contraction of the contraction
Date	- x 24	Faaasa Givens