

Business Name: **Redman Van & Storage**
 Address: **2571 W 2590 S**
Salt Lake City UT 84119-
 Phone: **(801) 972-4420**
 Fax: **(801) 972-6598**
 Email: **redmanap@xmission.com**

IN THE DISTRICT COURT OF THE STATE OF UTAH
 THIRD JUDICIAL DISTRICT, SALT LAKE COUNTY
 8080 S REDWOOD RD

SOMERSET VILLAGE/KIRK
CULLIMORE
 Plaintiff/Petitioner

v.

TELETI POASA
 Defendant/Respondent

Garnishee's Answers to
Interrogatories for Earnings

Case Number: **120415032**

Judge: **CHARLENE BARLOW**

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: December 30, 2013 End Date: January 12, 2014**

*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.)	\$293.79
(4)(b) Deductions required by law.	
(4)(b)(i) Federal income tax	\$0.00
(4)(b)(ii) State income tax	\$0.00
(4)(b)(iii) Social security tax (FICA)	\$18.21
(4)(b)(iv) Medicare tax (FICA)	\$4.26
(4)(b)(v) Other amounts required by law to be deducted. (Please describe reason for deduction.)	\$0.00
(4)(c) Total deductions. (Calculate and record the sum of Lines (4)(b)(i) through (4)(b)(v).)	\$22.47
(4)(d) Disposable earnings. (Calculate and record Line (4)(a) minus Line (4)(c).)	\$271.32
(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).	\$67.83
(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 2.16 weeks) (Monthly) Line (4)(d) minus (\$7.25 X 30 hours X 4.33weeks)	\$-163.68
(4)(f) Record the lesser amount from Line (4)(e)(i) and Line (4)(e)(ii).	\$-163.68
(4)(g) Amount of any other garnishment or income withholding order.	\$0.00
(4)(h) Calculate and record Line (4)(f) minus Line (4)(g)	\$-163.68
(4)(i) Amount deducted for an undisputed debt owed to you by the ☐ judgment creditor ☐ judgment debtor. (check one, both or neither)	\$0.00
(4)(j) Calculate and record Line (4)(h) minus Line (4)(i).	\$-163.68
(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.)	\$3,643.09
(4)(l) Record the lesser amount from Line (4)(j) and Line (4)(k). (This	\$ 0.00

is the amount to be withheld.)	
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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	SOMERSET VILLAGE/KIRK CULLIMORE 644 E UNION SQUARE SANDY, UT 84070-	January 17, 2014

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
Mail	TELETI POASA EMPLOYEE PAYROLL WEBSITE SALT LAKE CITY, UT 84119-	January 17, 2014

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

Date: 1/17/14 Sign here ►
 Typed or printed name


 JANET ZIDON

The Order of Court is stated below:

Dated: December 19, 2013
02:12:54 PM

/s/ Gaylin Martindale
District Court Clerk



1/3/14 1250P
Janet Zidon - Accts
2571 W 2590 S
Phyllis Hanson

The Law Offices of Kirk A. Cullimore, L.L.C.
Kirk A. Cullimore #3640
Derek J. Barclay #9127
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644 East Union Square, Sandy Utah 84070
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litigation@cullimore.net

IN THE DISTRICT COURT, STATE OF UTAH
SALT LAKE COUNTY, WEST JORDAN DEPARTMENT

SOMERSET VILLAGE APARTMENTS
Plaintiff

vs.

WRIT OF CONTINUING
GARNISHMENT
(Wage)

TELETI POASA
3671 S 2200 W APT#2
WEST VALLEY CITY, UT 84119
xxx-xx-0770

Defendant

Civil No. 120415032
Judge: CHARLENE BARLOW

THE STATE OF UTAH TO GARNISHEE:

REDMAN VAN AND STORAGE COMPANY
2571 W 2590 S
WEST VALLEY CITY, UT 84119

You are hereby ordered by the Court to hold a portion of Defendant's wages, commission, bonus or other income not to exceed the outstanding amount owed on the judgment in the amount of \$ 3643.09 as of 12/10/2013. **The amount owing will continue to accrue fees and interest as provided by the judgment, so the amount stated is not a pay-off.** This order becomes effect on the day it is served upon you as Garnishee. You will be required to withhold beginning with the very next payday and continuing each payday thereafter **for a period of one year from the date this Writ was served upon you** or, in the case of multiple garnishments, from the date this garnishment becomes effective, as calculated pursuant to the attached questions, which are called Interrogatories, or until the amount as stated above is satisfied. If another court ordered writ is served during the year period, then this writ shall expire 120 days from the date the subsequent writ is served upon you.

To determine the income available for garnishment at the next (first) payday, you are required to answer the attached Interrogatories under oath and mail to Plaintiff's attorney at 644 E. Union Square, Sandy, Utah 84070 within seven (7) business days after this Writ becomes effective. For each subsequent payday thereafter until the termination of this Writ, you are required to withhold and complete the attached Affidavit as to Continuing Garnishment and mail the completed answer to Plaintiff's attorney at the address stated above within seven (7) business days after each payday. The address of the court is: 8080 S REDWOOD ROAD, WEST JORDAN, UT 84088 if you need it for any other reason. **Utah law specifically states that garnishee answers or payments are NOT to be sent to the court. All answers**

and payments must be sent directly to Plaintiff's attorney.

You may amend any answer to Interrogatories to correct errors by serving and filing the amended answer in the same manner as the original answers.

MULTIPLE WRITS OF CONTINUING GARNISHMENT may be served upon you for the same Defendant. Only one Writ of Garnishment (continuing or otherwise), may be in effect and satisfied at one time. When more than one Writ of Garnishment is served upon you against earnings due to the same Defendant, the Writs shall be satisfied in the order of service upon you. If this Writ of Continuing Garnishment is served upon you while a previous Writ is still in effect, you shall respond to this Writ with a statement that you have been served previously with one or more Writs of Garnishment against earnings and you shall specify the date on which all Writs previously served are expected to terminate.

If you fail to answer the Interrogatories or to file subsequent Affidavits as set forth above, the judgment creditor (Plaintiff) may ask the Court to make you pay the amount you should have withheld from the date the garnishment was served upon you, in addition to reasonable costs and attorney fees incurred by parties as a result of the garnishee's failure to respond to this court order.

If you owe or will owe monies to the Defendant which are subject to this Writ, you shall immediately mail by first class mail a copy of the Writ of Garnishment and your initial Interrogatory answers, the Notice of Garnishment and Exceptions and two (2) copies of the Request for Hearing to the Defendant at the last known address of the Defendant shown on your records at the time of the service of this Writ. In lieu of mailing, you may hand deliver a copy of these documents to the Defendant. In the case of multiple garnishments, this mailing or delivery to Defendant shall occur immediately after this Writ becomes effective. You shall provide notice to the Defendant of amounts attached in each subsequent pay period until this Writ expires.

YOU MUST withhold from the Defendant's wages the amount shown in your Answers to the Interrogatories. You must hold the property (money) for 20 calendar days from the date you notify the Defendant of the Writ of Garnishment. This only applies to the initial withholding, not to subsequent Answers and withholdings. This period of time allows the Defendant time to file the attached Request for Hearing if they desire. You must continue to comply with this court order each pay period even if the Defendant requests a hearing.

YOU SHALL PAY to Defendant the portion of Defendant's earnings or income which is not held by this Writ of Garnishment at the time the same is normally paid to Defendant.

ISSUED by the court:

CLERK OF THE COURT

By:
DEPUTY CLERK

Ref No. 19454

INSTRUCTIONS TO GARNISHEE

If you owe or will owe money to the defendant (employee), you are obligated to comply with the Writ of Garnishment for the period of time specified in the Writ of Garnishment (1 full year from the date of service).

This writ is a court order directed at you as Garnishee. You are obligated to withhold wages and complete Interrogatories for each pay period for a period of 1 year or as stated in the Writ of Garnishment.

If you fail to withhold wages and submit answers and withhold (if wages paid) each pay period, you may be ordered by the court to pay such amounts as are just, including the wages you should have withheld, or the balance of the judgment (whichever is less) and reasonable costs and attorney fees incurred by parties as a result of your failure to obey the court order. If no amounts are due for a specific pay period, you must still submit Answers stating that no wages were paid.

YOU MUST PAY to the Defendant (employee) the remaining portion of his/her earnings or incomes which are not held by this Writ of Garnishment at the time the same is normally paid to the Defendant (employee).

Once you determine that wages will be withheld, you must hold the property/money for 20 calendar days after you serve your employee with notice of the Writ of Garnishment. After the 20 days has elapsed, unless otherwise directed by the court, you must immediately tender held funds to the attorney for the Plaintiff at the address stated on the Writ.

Even if you receive a completed Request for Hearing form from the Defendant, continue to withhold wages until instructed by the court.

If you do not receive instruction from the court otherwise, **deliver the wages to the Plaintiff's attorney immediately.**

You are only required to hold the initial withholding for 20 days, not subsequent pay periods following the initial withholding.

DO NOT SEND MONEY OR ANSWERS TO THE COURT.

The following documents should be delivered as follows;

To Plaintiff's Attorney (Kirk A. Cullimore):

- A copy of the Answers to Interrogatories and Affidavit of Garnishee

To the Defendant (employee):

- A copy of the Writ of Continuing Garnishment (included)
- A copy of the completed Answers to Interrogatories and Affidavit of Garnishee
- Notice o Garnishment and Exemptions (included)
- (2) Request for Hearings (2 pages each) (included)

Notice of Garnishment and Exemptions

Notice to employee: Your property/wages 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, documents 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 (usually your employer or bank), has been ordered to hold your property/wages. This means that you cannot obtain the property/wages 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 some of these exemptions might not apply to judgments for alimony or child support:

- | | |
|--|---|
| (a) a burial plot for you and your family | (m) Provisions for 12 months |
| (b) health aids | (n) Wearing apparel, (not jewelry) |
| (c) Benefits from disability, illness or Unemployment or furs) | (o) Beds and bedding |
| (d) medical care benefits | (p) Certain works of art |
| (e) Veteran's benefits | (q) Compensatory damages from bodily injury or wrongful death |
| (f) Social Security benefits | (r) Proceeds of certain life insurance |
| (g) Supplemental security income benefits (SSI) | (s) Books, implements and tools of a trade |
| (h) Worker's Compensation benefits | (t) a personal motor vehicle |
| (i) Certain retirement benefits | (u) a motor vehicle used in a trade or business |
| (j) Public assistance | (v) property of a person who did not have a judgment against him/her (co-owner) |
| (k) Money or property for child support, alimony or Separate benefits | (w) part of your wages |
| (l) Certain furnishings, appliances, carpets, animals, books, musical instruments, and heirlooms | |

You should consult the Utah Exemption Act, Utah Code Title 78, Chapter 23.

There is no exemption solely because you are having difficulty paying your debts.

5. If you believe that the garnishment was issued improperly, that the answers to Interrogatories are inaccurate, that the creditor owes you money, or that you are entitled to an exemption, you have a deadline of 10 business days from the date of the garnishee mailed or delivered this notice to you to file the Request for Hearing form with the court. You must complete the Request for Hearing form, sign and date it, make sure you put your address also in the space provided so the court clerk knows where to mail the notice of hearing. Mail a copy to court within the 10 business day period, mail a copy to Plaintiff's attorney, and the Garnishee. Keep a copy for your records. All names and addresses are listed on the Writ of Garnishment which you received a copy of also.
6. The court clerk will schedule the matter for hearing and notify you of the court date. You should file with your request or bring with you to the hearing any documents that help you prove your property is exempt.
7. If you fail to take these steps, the property being held may be used to pay a judgment creditor.
8. You may consult an attorney and have the attorney represent you at the hearing.

The Law Offices of Kirk A. Cullimore, L.L.C.
Kirk A. Cullimore #3640
Derek J. Barclay #9127
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IN THE DISTRICT COURT, STATE OF UTAH
SALT LAKE COUNTY, WEST JORDAN DEPARTMENT

SOMERSET VILLAGE APARTMENTS

Plaintiff

vs.

TELETIPPOASA

Defendant

REQUEST FOR HEARING

Civil No. 120415032

Judge: CHARLENE BARLOW

1. I have read the Writ of Garnishment, Notice of Garnishment and Exemptions forms.

2. I request that this matter be scheduled for a hearing.

3. **Funds in my account were garnished: YES ____ NO ____**

If you answered **yes**, answer (A) through (E) if they apply:

(A) The Writ of Garnishment was issued improperly because:

(B) The Answers to the Interrogatories were inaccurate because:

(C) All or part (if part, state amount \$____) of the funds in my account are exempt because they are:

☐ Benefits of disability or unemployment

☐ Supplemental Security Income (SSI)

☐ Social Security benefits

☐ Veteran's Benefits

☐ Workers' compensation benefits
contract/trust

☐ Public Assistance

☐ Child Support, alimony or separate maintenance

☐ Pensions or retirement benefits

☐ Medical care benefits

☐ Compensatory damages from bodily injury
or wrongful death

☐ The proceeds of a life insurance

☐ Owned by another person

☐ Other (explain):

(D) The judgment creditor owes me money because:

(E) 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:

4. My wages were garnished: YES ____ NO ____
If you answered yes, answer (A) through (D) if they apply.

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(A) The writ of garnishment was issued improperly because:

(B) The answers to interrogatories are inaccurate because:

(C) All or part (if part, state amount \$ _____) of the wages garnished are exempt from garnishment because the wages are:

☐ Child Support, alimony or separate maintenance

☐ Exempt wages

☐ Other (explain):

(D) The judgment creditor owes me money because:

5. I have attached the documents that support my claims YES ____ NO ____

6. I filed this Request for Hearing with the Court and served a copy of this Request for Hearing to the following:

• Plaintiff's attorney, Kirk A. Cullimore 644 E. Union Square Sandy, Ut. 84070

• Garnishee name and address: _____

• Any other persons other than the defendant shown to have an interest in the property

Name _____ Address _____

Pursuant to Utah Code § 78B-5-705, I declare under criminal penalty of the State of Utah that the foregoing is true and correct. So executed on this ____ day of _____, 20____.

My Address: _____

Signature

Telephone No: _____

The Law Offices of Kirk A. Cullimore, L.L.C.
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IN THE DISTRICT COURT, STATE OF UTAH
SALT LAKE COUNTY, WEST JORDAN DEPARTMENT

SOMERSET VILLAGE APARTMENTS

Plaintiff

vs.

TELETI POASA

Defendant

REQUEST FOR HEARING

Civil No. 120415032

Judge: CHARLENE BARLOW

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3. **Funds in my account were garnished: YES ____ NO ____**
If you answered **yes**, answer (A) through (E) if they apply:
 - (A) The Writ of Garnishment was issued improperly because:
 - (B) The Answers to the Interrogatories were inaccurate because:
 - (C) All or part (if part, state amount \$____) of the funds in my account are exempt because they are:

☐ Benefits of disability or unemployment	☐ Pensions or retirement benefits
☐ Supplemental Security Income (SSI)	☐ Medical care benefits
☐ Social Security benefits	☐ Compensatory damages from bodily injury or wrongful death
☐ Veteran's Benefits	☐ The proceeds of a life insurance contract/trust
☐ Workers' compensation benefits	☐ Owned by another person
☐ Public Assistance	☐ Other (explain):
☐ Child Support, alimony or separate maintenance	
 - (D) The judgment creditor owes me money because:
 - (E) 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:

4. My wages were garnished: YES ____ NO ____

If you answered yes, answer (A) through (D) if they apply.

(A) The writ of garnishment was issued improperly because:

(B) The answers to interrogatories are inaccurate because:

(C) All or part (if part, state amount \$ _____) of the wages garnished are exempt from garnishment because the wages are:

[] Child Support, alimony or separate maintenance

[] Exempt wages

[] Other (explain):

(D) The judgment creditor owes me money because:

5. I have attached the documents that support my claims YES ____ NO ____

6. I filed this Request for Hearing with the Court and served a copy of this Request for Hearing to the following:

•Plaintiff's attorney, Kirk A. Cullimore 644 E. Union Square Sandy, Ut. 84070

•Garnishee name and address: _____

•Any other persons other than the defendant shown to have an interest in the property

Name _____ Address _____

Pursuant to Utah Code § 78B-5-705, I declare under criminal penalty of the State of Utah that the foregoing is true and correct. So executed on this ____ day of _____, 20 ____.

Signature

My Address:

Telephone No: _____