

COMMISSIONERS
BOB STUMP - Chairman
GARY PIERCE
BRENDA BURNS
BOB BURNS
SUSAN BITTERS SMITH



04453571
JODI JERICH
Executive Director

PATRICIA L. BARFIELD
Director
Corporations Division

ARIZONA CORPORATION COMMISSION

Date October 9, 2013

TOTAL SOLUTIONS, LLC
3207 S WILSON ST
TEMPE, AZ 85282

Dear Sir or Madam:

Enclosed is a copy of the following document(s) that were served upon the Arizona Corporation Commission on 10/03/2013 as agent for TOTAL SOLUTIONS, LLC:

Case caption: CACH, LLC v. MICHAEL R. VOIGTSBERGER and JANE DOE VOIGTSBERGER,
h&w etal;,
Case number: TJ2008-008385 Court: SUPERIOR COURT STATE OF ARIZONA COUNTY OF
MARICOPA

- ☒ Summons
- ☐ Complaint
- ☐ Subpoena
- ☐ Subpoena Duces Tecum
- ☐ Default Judgment
- ☐ Judgment
- ☒ Writ of Garnishment
- ☐ Motion For Summary Judgment
- ☐ Motion for
- ☐ Other

Sincerely,

A handwritten signature in black ink, appearing to read "Lynda B. Griffin", written over a horizontal line.
Lynda B. Griffin
Custodian of Records

Initials ML
File number L-1510861-2

COMMISSIONERS
BOB STUMP – Chairman
GARY PIERCE
BRENDA BURNS
BOB BURNS
SUSAN BITTERSMITH



JODI JERICH
Executive Director

PATRICIA L. BARFIELD
Director
Corporations Division

ARIZONA CORPORATION COMMISSION

CERTIFICATION OF SERVICE ACCEPTED AND OF MAILING

Date: **October 9, 2013**

I, **MARY LEE** am an employee of the Arizona Corporation Commission ("ACC").

I hereby certify that on the 3RD day of **OCTOBER, 2013**, I accepted on behalf of the ACC service of the following documents upon the ACC as agent for **TOTAL SOLUTIONS, LLC**.

Case caption: **CACH, LLC v. MICHAEL R. VOIGTSBERGER and JANE DOE VOIGTSBERGER, h&w etal;**

Case number: **TJ2008-008385**

Court: **SUPERIOR COURT STATE OF ARIZONA COUNTY OF MARICOPA**

- | | |
|--|---|
| <input checked="" type="checkbox"/> Summons | <input type="checkbox"/> Default Judgment |
| <input type="checkbox"/> Complaint | <input type="checkbox"/> Judgment |
| <input type="checkbox"/> Subpoena | <input checked="" type="checkbox"/> Writ of Garnishment |
| <input type="checkbox"/> Subpoena Duces Tecum | |
| <input type="checkbox"/> Motion for Summary Judgment | |
| <input type="checkbox"/> Motion for | |
| <input type="checkbox"/> Other | |

I declare and certify under penalty of perjury that the foregoing is true and correct.

Executed on this date: **October 9, 2013**

(Signature) _____

Mary Lee

COMMISSIONERS
BOB STUMP – Chairman
GARY PIERCE
BRENDA BURNS
BOB BURNS
SUSAN BITTER SMITH



JODI JERICH
Executive Director

PATRICIA L. BARFIELD
Director
Corporations Division

ARIZONA CORPORATION COMMISSION

I, **MARY LEE**, am an employee of the Arizona Corporation Commission ("ACC").

I hereby certify that on the 9TH day of **OCTOBER, 2013**, I placed a copy of the above listed documents in the United States Mail, postage prepaid, addressed to

TOTAL SOLUTIONS, LLC

at its last known place of business as follows:

3207 S WILSON ST
TEMPE, AZ 85282

OR

I hereby certify that I was unable to mail the above listed documents to

because that entity is not a registered corporation or limited liability company in the State of Arizona, and the Arizona Corporation Commission has no record of its known place of business.

I declare and certify under penalty of perjury that the foregoing is true and correct.

Executed on this date: **October 9, 2013**

(Signature) _____

A handwritten signature in cursive script, appearing to read "Mary Lee", is written over a horizontal line.

1 Law Office of Joe Pezzuto, LLC
2 Joseph J. Pezzuto II, Arizona State Bar No. 023403
3 Gene Chastain, Arizona State Bar No. 028166
4 4013 East Broadway Road, Suite A-2
5 Phoenix, Arizona 85040
6 Email: joe@pezzutolawgroup.com
7 Telephone: (602) 274-9911
8 Toll Free: (866) 414-2324
9 Fax: (602) 274-8811
10 Attorneys for Plaintiff

11 **SUPERIOR COURT**
12 **STATE OF ARIZONA-COUNTY OF MARICOPA**

13 CACH, LLC,

Case No.: TJ2008-008385

14 Plaintiff/Judgment Creditor,

15 **SUMMONS AND WRIT OF**
16 **GARNISHMENT (EARNINGS)**

17 vs.

18 MICHAEL R. VOIGTSBERGER and JANE
19 DOE VOIGTSBERGER, husband and wife;
20 DOES I - V; BLACK CORPORATIONS
21 I - V; and WHITE PARTNERSHIPS I - V,

22 Defendants/Judgment Debtors,

23 TOTAL SOLUTIONS, LLC,

24 Garnishee.

25 THE STATE OF ARIZONA TO THE SHERIFF, CONSTABLE OR ANY OTHER
26 OFFICE OF MARICOPA COUNTY, WHO IS AUTHORIZED BY LAW TO SERVE
27 PROCESS:

28 JUDGMENT CREDITOR'S CLAIM OF \$938.91, together with interest, costs, and
other relief in this action against the following Judgment Debtor:

Michael R. Voigtsberger

THEREFORE, YOU ARE COMMANDED TO IMMEDIATELY SUMMON THE
GARNISHEE TO APPEAR BEFORE THE ABOVE-ENTITLED COURT TO ANSWER
THIS WRIT OF GARNISHMENT WITHIN THE TIME SPECIFIED.

1 The Judgment Creditor states as follows:

2 1. The name and address of the Garnishee or Garnishee's authorized agent are:

3 Total Solutions, LLC
4 Attn: HR
5 601 S. 54th St., Ste. 35
6 Chandler, AZ 85226

7 2. The name and address of the Judgment Creditor and Judgment Creditor's attorney are:

8 Judgment Creditor:

9 CACH, LLC
10 C/O Law Office of Joe Pezzuto, LLC
11 4013 East Broadway Road, Suite A-2
12 Phoenix, Arizona 85040

13 Attorney

14 Joseph J. Pezzuto II
15 4013 East Broadway Road, Suite A-2
16 Phoenix, Arizona 85040

17 3. The outstanding balance due on the Judgment as of the date of the issuance of this
18 Writ, including accrued interest and allowable costs, is \$938.91; interest accrues on the
19 Judgment at the rate of 10%.

20 4. The last mailing address of the Judgment Debtor known to the Judgment Creditor is:

21 Michael R. Voigtsberger
22 1837 E. Brookdale St.
23 Mesa, AZ 85203

24 TO THE ABOVE NAMED GARNISHEE:

25 GARNISHEE SHALL ANSWER IN WRITING, UNDER OATH, WITHIN TEN (10) DAYS,
26 EXCLUSIVE OF THE DATE OF SERVICE OF THE WRIT OF GARNISHMENT, ALL OF
27 THE FOLLOWING QUESTIONS ACCORDING TO THE INSTRUCTIONS SERVED
28 HERewith.

1. Whether the Judgment Debtor was employed by the Garnishee on the date the Writ was served.

2. Whether the Garnishee anticipates owing earnings within sixty (60) days after the date of service of the Writ.

3. If the Garnishee is unable to determine the identity of the Judgment Debtor after making a good faith effort to do so, a statement of the effort made and reasons for such inability

- 1 4. The dates of the next two pay days occurring after the date of service of the Writ.
- 2 5. The pay period of the Judgment Debtor, whether weekly, bi-weekly, semimonthly or another
- 3 specified period.
- 4 6. The amount of the outstanding Judgment now due and owing as stated in the Writ.
- 5 7. Whether the Judgment Debtor is subject to an existing wage assignment garnishment or levy,
- 6 and if so, the name, address and telephone number of that Judgment Creditor.
- 7 8. The name, address and telephone number of the Garnishee.
- 8 9. The date and manner of delivery of a copy of the Answer to the Judgment Creditor and
- 9 Judgment Debtor.

10 You must mail or deliver the original Answer to the Court, 1 copy to Judgment Creditor,

11 and 1 copy to Judgment Debtor, all within 10 days after Service of this Writ upon you.

12 FROM AND AFTER SERVICE of the Writ of Garnishment, Garnishee shall pay to

13 Judgment Creditor any earnings which are non exempt.

14 IF IT APPEARS FROM THE ANSWER OF THE GARNISHEE that Garnishee was

15 indebted to Judgment Debtor for disposable earnings when the Writ was served, the

16 garnishment shall be continuing in nature as a lien against nonexempt earnings pursuant to

17 A.R.S. §12-1598.05.

18 AS TO DISPOSABLE EARNINGS as defined in A.R.S. § 33-1131, a garnishment is

19 continuing in nature subject to the following conditions:

- 20 1. The garnishment constitutes a lien against nonexempt earnings.
- 21 2. The garnishment is the equivalent of a court ordered assignment, compelling
- 22 Garnishee to remit the nonexempt earnings to Judgment Creditor as they are earned. A.R.S.
- 23 §12-1598.10.
- 24 3. The garnishment shall survive until any of the following occurs:
- 25 (a.) The underlying judgment is satisfied in full, is vacated, or expires.
- 26 (b.) The Judgment Debtor leaves the garnishee's employ for more than 60
- 27 days.
- 28 (c.) The Judgment Creditor releases the garnishment.
- (d.) The proceedings are stayed by a court of competent jurisdiction,
- including the United States Bankruptcy Court.

1 (e.) The Judgment Debtor has not earned any nonexempt earnings for at least
2 sixty (60) days.

3 (f.) The Court orders that the garnishment be quashed.

4 4. Garnishments, Levies and Wage Assignments which are not for the support of a
5 person are inferior to Wage Assignments for the support of a person. Garnishments which are
6 not for the support of a person and Levies are inferior to Garnishments for the support of a
7 person.

8 5. If a Judgment Debtor's earnings become subject to more than one Writ of
9 Garnishment pursuant to this Article, and because of the application of the priorities set forth in
10 subsections A and B, a Judgment Creditor recovers no nonexempt earnings for two consecutive
11 paydays, the lien on earnings of such Judgment Creditor is invalid and of no force and effect,
12 and the garnishee shall notify the Judgment Creditor accordingly.
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SUMMONS

In obedience to the foregoing Writ of Garnishment, I DO HEREBY SUMMON AND REQUIRE YOU TO APPEAR and answer the foregoing Writ in the manner prescribed by law within the time prescribed in said Writ. You are hereby notified that in case you fail to so answer, the Court may issue an order requiring you to appear before the Court to answer the Writ or to file and serve, at least five (5) days before the appearance date, a copy of the Answer on the party for whom the Writ has been issued, or on his attorney if the party is represented by counsel. In the event you fail to appear after service of the order requiring you to appear, in person, Judgment by default may be rendered against you for the full amount of the Judgment against the Judgment Debtors, plus an award for attorneys' fees incurred by Judgment Creditor. A.R.S. § 12-1598.13.

GIVEN UNDER MY HAND and the seal of the Court, this date: _____

Clerk of the Maricopa Superior Court

By: _____

COPY

AUG 15 2013



MICHAEL K. JEANES, CLERK
J. KIRALY
DEPUTY CLERK

This is an attempt to collect a debt by a debt collector. Any information obtained will be used for that purpose.

MICHAEL K. JEANES
 Clerk of the Superior Court
 By Angela Walker, Deputy
 Date 02/11/2013 Time 09:37:56
 Description Amount
 ----- CASE# TJ2008-008385 -----
 MISC.SVC/EXPRES MAIL 26.00

 TOTAL AMOUNT 26.00
 Receipt# 22763582

Law Office of Joe Pezzuto, LLC
 Joseph J. Pezzuto II, Arizona State Bar No. 023403
 4013 East Broadway Road, Suite A-2
 Phoenix, Arizona 85040
 Email: joe@pezzutolawgroup.com
 Telephone: (602) 274-9911
 Toll Free: (866) 414-2324
 Fax: (602) 274-8811
 Attorney for Plaintiff

CERTIFIED COPY

**IN THE SUPERIOR COURT
 STATE OF ARIZONA-COUNTY OF MARICOPA**

CACH, LLC,

Plaintiff,

v.

MICHAEL R. VOIGTSBERGER and JANE
 DOE VOIGTSBERGER,
 husband and wife;
 DOES I-V; BLACK CORPORATIONS I-V;
 and WHITE PARTNERSHIPS I-V,

Defendants.

No.: TJ2008-008385

**AFFIDAVIT OF RENEWAL OF
 JUDGMENT**

STATE OF ARIZONA)
)
 COUNTY OF MARICOPA) ss.

AFFIANT, being first duly sworn upon his oath, deposes and states:

1. Affiant is the attorney of the Judgment Creditor and is authorized to make this Affidavit on behalf of the Judgment Creditor based on Affiant's personal knowledge of the facts stated herein.

2. This Affidavit is made pursuant to A.R.S. §12-1612.

(a). The names of the parties are indicated in the caption.

(b). On the 10th day of April, 2008, Judgment was entered in favor of the judgment creditor, CACH, LLC and against the judgment debtor, Michael R. Voigtsberger, as follows:

1). Current Balance: \$1,012.41

2). Costs: \$189.20

TOTAL JUDGMENT: \$1,201.61

3. The Judgment was docketed in the Superior Court of Maricopa, State of Arizona, and was recorded in the Maricopa County Recorder's office, Recording Number 2008-0605645 on July 10, 2008.

4. No execution is anywhere outstanding and unreturned on this Judgment.
5. There are no setoffs or counterclaims in favor of the Judgment debtor.
6. All payments have been duly credited upon the Judgment. The date and amounts of all payments received upon the Judgment are:

Dates	Amount Paid
11/18/2011	\$482.50

7. The name of the Judgment Creditor is CACH, LLC.
8. The total balance due and owing on the Judgment as of this date including accrued costs is \$885.91, plus taxable accruing costs, plus interest accruing at the rate of 10% per annum from the date of Judgment until Judgment is paid.

WHEREFORE, Affiant requests that the Judgment in the above-entitled matter be renewed pursuant to A.R.S. §12-1612

FURTHER AFFIANT SAYETH NOT.

Joseph J. Pezzuto II
Attorney for the Plaintiff/Judgment Creditor

SUBSCRIBED AND SWORN to before me this 8th day of February, 2013.

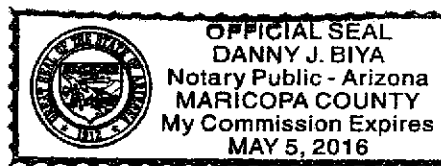
Notary Public

My Commission Expires:

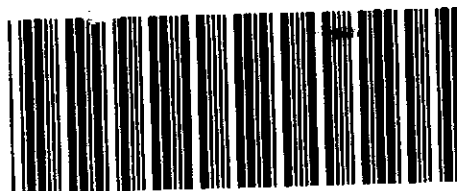
COPY of the foregoing mailed via First Class
Mail this 8th day of February, 2013, to:

Michael R. Voigtsberger
1001 North Sericin
Mesa, Arizona 85205

(Defendant/Judgment Debtor)



This is an attempt to collect a debt by a debt collector. Any information obtained will be used for that purpose.



OFFICIAL RECORDS OF
MARICOPA COUNTY RECORDER
HELEN PURCELL
2008-0605645 07/10/08 03:30 PM
61 OF 73

GARCIA

1 Law Office of
2 **JOE PEZZUTO, LLC**
3 Joseph J. Pezzuto II
4 4013 East Broadway Road, Suite A-2
5 Phoenix, Arizona 85040
6 Phone: (602) 274-9911
7 Fax: (602) 274-8811
8 Toll Free: 866-826-4101
9 Arizona State Bar No. 023403

10 Attorney for Plaintiff

11
12 **IN THE SUPERIOR COURT**
13 **STATE OF ARIZONA - COUNTY OF MARICOPA**

14 CACH, LLC

15 Plaintiff,

16 v.

17 MICHAEL R. VOIGTSBERGER and
18 JANE DOE VOIGTSBERGER,
19 husband and wife
20 DOES I - V; BLACK CORPORATIONS
21 I - V; and WHITE PARTNERSHIPS I - V

22 Defendants.

NO.

TJ2008-008385

1 Law Office of
2 **JOE PEZZUTO, LLC**
3 Joseph J. Pezzuto II
4 4013 East Broadway Road, Suite A-2
5 Phoenix, Arizona 85040
6 Phone: (602) 274-9911
7 Fax: (602) 274-8811
8 Toll Free: 866-826-4101
9 State Bar No.: 023403

10 Attorney for Plaintiff

11 **IN THE NORTH MESA JUSTICE COURT**
12 **STATE OF ARIZONA - COUNTY OF MARICOPA**

13 CACH, LLC,

14 Plaintiff,

15 v.

16 **MICHAEL R. VOIGTSBERGER and**
17 **JANE DOE VOIGTSBERGER,**
18 husband and wife;
19 **DOES I-V; BLACK CORPORATIONS**
20 **I-V; and WHITE PARTNERSHIPS I-V,**

21 Defendants.

**NORTH MESA
JUSTICE COURT**

2008 APR -9 AM 12:35

7/8/08 **FILED** 4:52pm
MICHAEL K. JEANES, Clerk

By K. Dyer
Deputy

PAID
100.7504

NO. CC2007 176458CV

1J2008-008385

DEFAULT

JUDGMENT

22 **THIS CAUSE**, having been presented to the Court by Motion pursuant to Rule
23 55(b)(1) A.R.C.P; Plaintiff appearing by its attorney, Joseph J. Pezzuto II, of Law Office
24 of Joe Pezzuto LLC, and it appearing to the Court that Defendant(s) MICHAEL R.
25 VOIGTSBERGER having been duly served, is neither an infant nor incompetent person,
26 has made no answer or appearance personally or through counsel, and evidence having
27 been submitted to the Court. The Default of the Defendant(s), MICHAEL R.
28 VOIGTSBERGER, has been duly entered, that Plaintiff is entitled to Judgment against the
Defendant(s), and there being no just cause of delay. The Court finds that the allegations
contained in Plaintiff's complaint are true and correct and that Plaintiff is entitled to the
relief requested.

The Court expressly determining that there is no just reason for delay in entering
final judgment, hereby expressly directs, pursuant to Rule 54(b), Rules of Civil Procedure,

1
2 that final judgment be entered against Defendant(s) MICHAEL R. VOIGTSBERGER in
3 favor of Plaintiff's claim for relief.


4 **IT IS FURTHER ORDERED, ADJUDGED AND DECREED**, that Plaintiff's counsel
5 may contact such third parties as are necessary to effectuate any post Judgment judicial
6 remedy for the purpose of collecting this Judgment.

7 **NOW, THEREFORE, IT IS ORDERED, ADJUDGED AND DECREED**, that Plaintiff,
8 CACH, LLC, have Judgment against the Defendant(s) MICHAEL R. VOIGTSBERGER, for
9 compensatory damages in the current balance of \$1,012.41, together with accrued interest
10 in the current balance of \$0.00 accruing at the contract rate of 10% in accordance with
11 A.R.S. § 44-1201, until Judgment, attorneys' fees in the sum of ~~\$325.00~~ ⁰, and for Plaintiff
12 costs herein expended and incurred in the sum of \$189.20, and for taxable accruing costs
13 together with interest on the attorney's fees and costs at the rate of 10% per annum from
14 the date of Judgment until paid.

15 The court hereby finds that there is no just reason for delay in entering Judgment
16 against the parties named herein and hereby directs entry of final Judgment in this matter
17 as to MICHAEL R. VOIGTSBERGER all in accordance with Rule 54(b), Arizona Rules of
18 Civil Procedure, as amended.

19 IT IS ORDERED that the Court retains continuing jurisdiction over the issues of
20 attorney's fees and costs.

21
22 **DONE IN OPEN COURT** this 10 day of APRIL, 2008.

23
24 
25 _____
Justice of the Peace

26
27 This is an attempt to collect
28 a debt. Any information
obtained will be used for
that purpose.

I hereby certify that this is a true and
correct copy of the original on file in
the North Mesa Justice Court
LESTER N. PEARCE
Justice of the Peace

Yvonne B. Bly 6-27-08
Clerk Date

1 Law Office of Joe Pezzuto, LLC
2 Joseph J. Pezzuto II, Arizona State Bar No. 023403
3 Gene Chastain, Arizona State Bar No. 028166
4 4013 East Broadway Road, Suite A-2
5 Phoenix, Arizona 85040
6 Email: joe@pezzutolawgroup.com
7 Telephone: (602) 274-9911
8 Toll Free: (866) 414-2324
9 Fax: (602) 274-8811
10 Attorneys for Plaintiff

11
12 **IN THE SUPERIOR COURT**
13 **STATE OF ARIZONA – COUNTY OF MARICOPA**

14 CACH, LLC,

Case No. TJ2008-008385

15 Plaintiff/Judgment Creditor,

16 vs.

**JUDGMENT CREDITOR'S
INFORMATION STATEMENT**

17 MICHAEL R. VOIGTSBERGER and JANE
18 DOE VOIGTSBERGER, husband and wife;
19 DOES I - V; BLACK CORPORATIONS
20 I - V; and WHITE PARTNERSHIPS I - V,
21 Defendants/Judgment Debtors.

22 Pursuant to A.R.S. § 33-967, the following information is provided by Judgment
23 Creditor: CACH, LLC,

- 24 1. The correct name and last known address of each Judgment Debtor:
25 Michael R. Voigtsberger
26 1837 E. Brookdale St.
27 Mesa, AZ 85203
- 28 2. The address at which each Judgment Debtor received the Summons by
personal service or by mail:
3134 E. McKellips Rd., Unit 111
Mesa, AZ 85213
3. Name and Address of Judgment Creditor:
CACH, LLC
c/o Joseph J. Pezzuto II, Esq.
4013 East Broadway Road
Suite A-2
Phoenix, Arizona 85040

1 4. The amount of the Judgment or decree as entered or as most recently renewed:
2 \$885.91

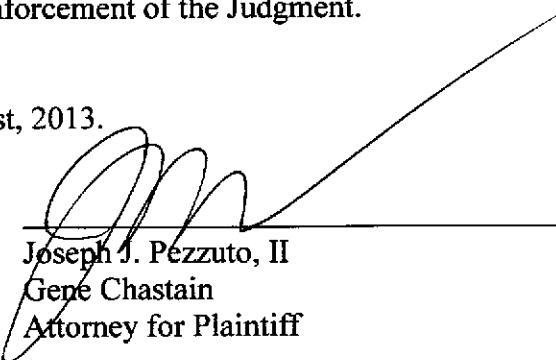
3 5. Judgment Debtor's Social Security Number, Date of Birth, and Driver's
4 License Number.

5 Judgment Debtor A: Michael R. Voigtsberger
6 SSN: ***-**-7964
7 DOB: **/**/1955
8 Driver's License No.: N/A

9 Judgment Debtor B: N/A
10 SSN: ***-**- N/A
11 DOB: N/A
12 Driver's License No.: N/A

13 6. There has been no stay of enforcement of the Judgment.

14 Dated this 15th day of August, 2013.

15 
16 Joseph J. Pezzuto, II
17 Gene Chastain
18 Attorney for Plaintiff
19
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27 This is an attempt to collect a debt by a debt collector. Any information obtained will be used for
28 that purpose.

1 Law Office of Joe Pezzuto, LLC
2 Joseph J. Pezzuto II, Arizona State Bar No. 023403
3 Gene Chastain, Arizona State Bar No. 028166
4 4013 East Broadway Road, Suite A-2
5 Phoenix, Arizona 85040
6 Email: joe@pezzutolawgroup.com
7 Telephone: (602) 274-9911
8 Toll Free: (866) 414-2324
9 Fax: (602) 274-8811
10 Attorneys for Plaintiff

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**SUPERIOR COURT
STATE OF ARIZONA-COUNTY OF MARICOPA**

9 CACH, LLC,
10 Plaintiff/Judgment Creditor,

11 vs.
12

13 MICHAEL R. VOIGTSBERGER and JANE
14 DOE VOIGTSBERGER, husband and wife;
15 DOES I - V; BLACK CORPORATIONS
16 I - V; and WHITE PARTNERSHIPS I - V,

17 Defendants/Judgment Debtors,

18 TOTAL SOLUTIONS, LLC,

19 Garnishee.
20

Case No.: TJ2008-008385

**ANSWER OF GARNISHEE
(EARNINGS)**

21 1. I am the above named Garnishee or am authorized by the Garnishee to make this
22 answer on the Garnishee's behalf, regarding the Writ of Garnishment served on Garnishee on
23 this date: _____.

24 2. Was Judgment Debtor employed by the Garnishee on the date the Writ was served?
25 () Yes () No

26 3. Does the Garnishee anticipate owing earnings to the Judgment Debtor within sixty
27 (60) days after the date of service of the Writ?

28 () Yes () No

1 4. If the Garnishee is unable to determine the identity of the Judgment Debtor after
2 making a good faith effort to do so, the following is a statement of the Garnishee's effort made
3 and the reasons for that inability.

4 5. State the dates of the Judgment Debtor's next two (2) paydays occurring after the
5 date of service of the Writ:

6 a) First Date: _____ b) Second Date: _____

7 6. Is Judgment Debtor employed by the Garnishee currently?

8 () Yes () No

9 If yes, Judgment Debtor is paid (Check which apply):

10 () Daily () Bi-Weekly () Monthly

11 () Weekly () Semi-Monthly () Other

12 7. What is the amount of the outstanding Judgment now due and owing as stated in the
13 Writ?

14 Judgment Balance \$ _____.

15 8. Is the Judgment Debtor subject to an existing Wage Assignment, Garnishment, or
16 Levy?

17 () Yes () No

18 If yes, give the name, address, and telephone number of that Judgment Creditor:

19 9. Did Garnishee Answer "Yes" to either question #2 or #3?

20 () Yes () No

21 If yes, copies of this Answer and copies of the Notice to Judgment Debtor. Request for
22 Hearing and Non-exempt Earnings Statement were delivered to the Judgment Debtor on

23 By:

24 () Hand Delivery

25 () Regular First class Mail to the address determined to be best

1 calculated to reach the Judgment Debtor in a timely manner;
2 () Service pursuant to the Arizona Rules of Civil Procedure
3 applicable to a Summons.

4 10. Copies of this Answer and Non-Exempt Earnings Statement were delivered on
5 _____ to the Judgment Creditor, or the Judgment Creditor's attorney, if
6 applicable, at the following address:

7 By:

8 () Hand Delivery
9 () Regular First class Mail
10 () Service pursuant to the Arizona Rules of Civil Procedure applicable to
11 a Summons

12 11. Garnishee's name, address, and telephone number are:

13 12. I Have read the foregoing document and know of my own knowledge that the facts
14 stated therein are true and correct.

15 WHEREFORE, Garnishee prays that Garnishee be discharged on this Answer and that
16 the Court award Garnishee reasonable compensation in the amount of \$ _____.

17 STATE OF _____

18 County of _____

19 Dated: _____

20 _____
21 Garnishee or Authorized Agent

22
23 SUBSCRIBED AND SWORN to before me this ____ day of _____, 2013.

24
25 _____
26 Notary Public

27 My commission Expires:
28

1 Law Office of Joe Pezzuto, LLC
2 Joseph J. Pezzuto II, Arizona State Bar No. 023403
3 Gene Chastain, Arizona State Bar No. 028166
4 4013 East Broadway Road, Suite A-2
5 Phoenix, Arizona 85040
6 Email: joe@pezzutolawgroup.com
7 Telephone: (602) 274-9911
8 Toll Free: (866) 414-2324
9 Fax: (602) 274-8811
10 Attorneys for Plaintiff

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**SUPERIOR COURT
STATE OF ARIZONA-COUNTY OF MARICOPA**

CACH, LLC,

Plaintiff/Judgment Creditor,

vs.

MICHAEL R. VOIGTSBERGER and JANE
DOE VOIGTSBERGER, husband and wife;
DOES I - V; BLACK CORPORATIONS
I - V; and WHITE PARTNERSHIPS I - V,

Defendants/Judgment Debtors,

TOTAL SOLUTIONS, LLC,

Garnishee.

Case No.: TJ2008-008385

**FIRST NOTICE TO JUDGMENT
DEBTOR OF GARNISHMENT
(EARNINGS)**

AVISO

El tribunal ha ordenado que su empleador tome una parte de su salario o sueldo y que pague a su acreedor hasta terminado el preceso en contra suya y este pagada la deuda. En conformidad con la ley, su acreedor tiene derecho a "solo una parte" de su salario. A continuacion figura una explicacion de sus derechos. Se puede obtener una traduccion espanola del tribunal.

INITIAL NOTICE TO JUDGMENT DEBTOR

To collect the Judgment against you, the Judgment Creditor has asked this Court to issue a Writ of Garnishment (see copy of Writ attached). Information about the Judgment and the

1 name and address of the Judgment Creditor and Garnishee are stated in the Writ and the copy of
2 Judgment is also enclosed.

3 The Writ of Garnishment is a court order requiring the Garnishee to withhold a certain amount
4 from your earnings and to continue to withhold a portion of your earnings until the Judgment is
5 satisfied or the Writ is quashed by the court of released by the Judgment Creditor.

6 The law provides that a certain amount of each paycheck or other earnings is exempt from
7 collection by a Writ of Garnishment. In some cases of very low income, no amount can be
8 garnished except for an order for support of a person. Different exemption rights may apply to
9 the collection of taxes.

10 Within ten (10) days after the date the Garnishee was served with the Writ of Garnishment, the
11 Garnishee is required to deliver to you the following documents:

- 12 1. Answer of Garnishee.
- 13 2. Notice to Judgment Debtor, which explains your rights and the procedures in the
14 garnishment process.
- 15 3. Request for Hearing form, which you can use to request a hearing if you believe that the
16 amount withheld from your earnings is greater than the law allows or that the garnishment is
17 invalid.

18 On each normal payday you should receive some earnings (paycheck) for the amount the
19 Garnishee calculates is protected by law. That calculation is made on a nonexempt earnings
20 statement, a copy of which should accompany your paycheck. If the Judgment Creditor's debt
21 is subject to an effective agreement for debt scheduling between you and a qualified debt
22 counseling organization and if you do not receive a paycheck, or if a copy of the nonexempt
23 earnings statement does not accompany your paycheck, you may request a hearing.

24 To request a hearing for the reasons described above, fill out the enclosed Request for Hearing
25 form and deliver it to this court's Clerk's office. At the same time you must deliver a copy
26 (photocopy or handwritten) of the Request for Hearing to the Garnishee and to the Judgment
27 Creditor, or the Judgment Creditor's attorney, at the address stated on the Writ of Garnishment.

28 You will also be given the opportunity to request a hearing after you receive the Answer of
Garnishee. A Request for Hearing can be made no later than ten (10) days after you receive the
Answer of Garnishee, unless good cause is shown why the request was filed later.

If you request a hearing, the court will set the hearing within ten (10) days of the date you
submitted your request for hearing, and the court will notify you, the Judgment Creditor and the
Garnishee of the date, time, and place of the hearing.

1 Law Office of Joe Pezzuto, LLC
2 Joseph J. Pezzuto II, Arizona State Bar No. 023403
3 Gene Chastain, Arizona State Bar No. 028166
4 4013 East Broadway Road, Suite A-2
5 Phoenix, Arizona 85040
6 Email: joe@pezzutolawgroup.com
7 Telephone: (602) 274-9911
8 Toll Free: (866) 414-2324
9 Fax: (602) 274-8811
10 Attorneys for Plaintiff

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**SUPERIOR COURT
STATE OF ARIZONA-COUNTY OF MARICOPA**

CACH, LLC,
Plaintiff/Judgment Creditor,

vs.

MICHAEL R. VOIGTSBERGER and JANE
DOE VOIGTSBERGER, husband and wife;
DOES I - V; BLACK CORPORATIONS
I - V; and WHITE PARTNERSHIPS I - V,

Defendants/Judgment Debtors,

TOTAL SOLUTIONS, LLC,

Garnishee.

Case No.: TJ2008-008385

**JUDGMENT DEBTOR'S FIRST
REQUEST FOR HEARING
(EARNINGS)**

I REQUEST A HEARING BECAUSE: (Check all that apply).

☐ On my normal payday I received no earnings (paycheck).

☐ A copy of the Nonexempt Earnings Statement did not accompany my paycheck.

☐ The Judgment Creditor does not have a valid Judgment or that Judgment has been paid in full.

☐ My employer has not delivered to me the Notice to Judgment Debtor. Answer of Garnishee (Employer) and Request for Hearing forms within fifteen (15) days.

() The debt of the Judgment Creditor is subject to an effective agreement between me and a qualified debt counseling organization.

Name of Judgment Debtor (Print)

Signature of Judgment Debtor

Date: _____

Mailing Address

Telephone Number

WARNING: TO REQUEST A HEARING, THIS DOCUMENT, OR ONE SIMILAR, MUST BE RECEIVED BY THIS COURT WITHIN TEN (10) DAYS AFTER YOUR RECEIPT OF THE ANSWER OF THE GARNISHEE, UNLESS GOOD REASON FOR THE DELAY IS SHOWN.



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10 Attorneys for Plaintiff

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**SUPERIOR COURT
STATE OF ARIZONA-COUNTY OF MARICOPA**

CACH, LLC,
Plaintiff/Judgment Creditor,

vs.

MICHAEL R. VOIGTSBERGER and JANE
DOE VOIGTSBERGER, husband and wife;
DOES I - V; BLACK CORPORATIONS
I - V; and WHITE PARTNERSHIPS I - V,

Defendants/Judgment Debtors,

TOTAL SOLUTIONS, LLC,

Garnishee.

Case No.: TJ2008-008385

**SECOND NOTICE TO JUDGMENT
DEBTOR OF GARNISHMENT
(EARNINGS)**

NOTICE TO JUDGMENT DEBTOR

This is your second notice that a Writ of Garnishment has been issued in this case. The Writ is a court order requiring the Garnishee to withhold a portion of your earnings until the Judgment is satisfied or the Writ is quashed.

The law provides that a certain amount of each paycheck or other periodic earnings is exempt from a collection by a Writ of Garnishment. In some cases of very low income no amount can be garnished except for an order for support of a person.

If you believe that too much of your earnings have been withheld from your paycheck, or that no amount should be withheld, you may request a hearing before this court. Among the reasons for requesting a hearing are:

1
2 1. The Judgment Creditor does not have a valid Judgment against you or the Judgment
3 has been paid in full.

4 2. The Garnishee's answer is incorrect.

5 3. Your earnings are already subject to a Writ of Garnishment or are subject to a court
6 ordered assignment for payment of support.

7 4. The Judgment Creditor's debt is subject to an effective agreement for debt scheduling
8 between you and qualified debt counseling organization.

9 To request a hearing, deliver the Request for Hearing form (enclosed) or a substantially similar
10 form, to the Clerk of this court. You must mail or deliver a copy of the Request for Hearing to
11 the Garnishee and to the Judgment Creditor or the Judgment Creditor's attorney at the address
on the Writ of Garnishment.

12 If you do not deliver the Request for Hearing form to this Court within ten (10) days after you
13 the date you receive this Notice and the Answer of the Garnishee, your request for hearing will
14 be denied, unless good cause for the delay is shown. You must check a box or state your
reasons for disputing the claim in the space provided on the form.

15 If you request a hearing, it will be conducted not later than ten (10) days after your request is
16 received by the court. The court will send you notice of the date, time, and place.

17 The nonexempt portion of your earnings will continue to be withheld by the Garnishee and
18 delivered to the Judgment Creditor until the Judgment is paid in full, or the garnishment is
19 ordered to stop. Whether or not you request a hearing at this time, if you believe too much
20 money is withheld from your earnings pursuant to this Garnishment at some time in the future,
you will have the same opportunity to request a hearing at that time.

21
22 **WARNING: YOU WAIVE YOUR RIGHT TO A HEARING ON THE MONIES**
23 **WITHHELD IN THIS PAY PERIOD UNLESS YOU FILE THIS REQUEST FOR**
24 **HEARING WITHIN TEN (10) DAYS AFTER RECEIVING THE GARNISHEE'S**
25 **ANSWER OR SHOW GOOD CAUSE FOR THE FILING OF THIS REQUEST LATE.**
26
27
28

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**SUPERIOR COURT
STATE OF ARIZONA-COUNTY OF MARICOPA**

CACH, LLC,

Plaintiff/Judgment Creditor,

vs.

MICHAEL R. VOIGTSBERGER and JANE
DOE VOIGTSBERGER, husband and wife;
DOES I - V; BLACK CORPORATIONS
I - V; and WHITE PARTNERSHIPS I - V,

Defendants/Judgment Debtors,

TOTAL SOLUTIONS, LLC,

Garnishee.

Case No.: TJ2008-008385

**JUDGMENT DEBTOR'S SECOND
REQUEST FOR HEARING
(EARNINGS)**

I REQUEST A HEARING BECAUSE: (Check all that apply).

() The Judgment Creditor does not have a valid Judgment against me.

() The Judgment has been paid in full.

() The Garnishee's Answer is incorrect.

() My earnings are subject to a Writ of Garnishment or court ordered Assignment for Payment of Support.

1 () The Judgment Creditor's debt is subject to an effective agreement for debt scheduling
2 between you and a qualified debt counseling organization.

3 () Other: _____
4
5

6 _____
7 Name of Judgment Debtor (Print) Signature of Judgment Debtor
8

9 Date: _____
10
11
12
13
14
15

16 Mailing Address
17
18 _____

19 Telephone Number

20 **WARNING: YOU WAIVE THE RIGHT TO A HEARING ON THE MONIES**
21 **WITHHELD IN THIS PAY PERIOD UNLESS YOU FILE THIS REQUEST FOR**
22 **HEARING WITHIN TEN DAYS (10) AFTER RECEIVING THE GARNISHEE'S**
23 **ANSWER OR YOU SHOW GOOD CAUSE FOR FILING THE REQUEST LATE.**
24
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**SUPERIOR COURT
STATE OF ARIZONA-COUNTY OF MARICOPA**

CACH, LLC,

Plaintiff/Judgment Creditor,

vs.

MICHAEL R. VOIGTSBERGER and JANE
DOE VOIGTSBERGER, husband and wife;
DOES I - V; BLACK CORPORATIONS
I - V; and WHITE PARTNERSHIPS I - V,

Defendants/Judgment Debtors,

TOTAL SOLUTIONS, LLC,

Garnishee.

Case No.: TJ2008-008385

**GARNISHEE'S NON-EXEMPT
EARNINGS STATEMENT
(NOT FOR SUPPORT)**

PAY PERIOD _____ **TO** _____
(Beginning Date) (Ending Date)

(ANSWER ALL PERTINENT QUESTIONS)

The Judgment Debtor is an Employee or is otherwise owed earnings.

() Yes () No

1 If the answer is "NO", give the Judgment Debtor's last date of employment by your firm or the
2 last date for which earnings are owed: _____
3

4 Instructions: You are required to withhold a portion of Judgment Debtor's disposable earnings.
5 To determine the amount to withhold, complete the calculations below and sign and date this
6 form. **A copy of the Earnings Statement form must accompany each payment to**
7 **Judgment Debtor and Judgment Creditor.** You are entitled to a \$5.00 fee for completing
8 this form, such fee to be deducted from Judgment Debtor's disposable earnings.
9

10 For the Earnings of the Judgment Debtor for this pay period enter all of the following:

11 1. Gross Earnings (1) \$ _____
12

13 2. Disposable earnings (Gross earnings less deductions required by law)
14

(2) \$ _____

15 3. Enter twenty-five (25%) percent of the answer for Line 2
16

(3) \$ _____
17
18

19 Debtor's pay period is: (Check One)

20 _____ Weekly (30X min. wage)

_____ Bi-weekly (60 X min. wage)

21
22 _____ Semi-Monthly (65 X min. wage)

_____ Monthly (130 X min. age)
23
24

25 4. The current Federal minimum wage is \$7.25 per hour. Multiply the Arizona Minimum Wage
26 by the factor indicated for the Judgment Debtor's pay period; enter here on line 4.
27

(4) \$ _____
28

1 5. Subtract Line (4) from Line (2) and enter total here. (5) \$ _____

2 6. Enter amount from Line (3) or Line (5); whichever is SMALLER. (6) \$ _____

3
4 7. Enter the amount withheld from the Judgment Debtor's earnings because of a court ordered
5 assignment for the support of a person or a garnishment or levy for the collection of taxes.

6 (7) \$ _____

7
8 8. Subtract Line (7) from Line (6) and enter balance, less \$5.00 fee.

9 (8) \$ _____

10 **The amount inserted on line (8) is the amount of non-exempt earnings you are to withhold**
11 **immediately. You should send this amount to the Judgment Creditor with this statement**
12 **only after you have received a signed order from the Court.**

13
14
15 _____
16 Name of Garnishee (Print)

Signature of Garnishee

17 _____
18 Date

19
20 _____
21 Mailing Address

22 _____
23 _____
24 Telephone Number

1 Law Office of Joe Pezzuto, LLC
2 Joseph J. Pezzuto II, Arizona State Bar No. 023403
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**SUPERIOR COURT
STATE OF ARIZONA-COUNTY OF MARICOPA**

CACH, LLC,

Plaintiff/Judgment Creditor,

vs.

MICHAEL R. VOIGTSBERGER and JANE
DOE VOIGTSBERGER, husband and wife;
DOES I - V; BLACK CORPORATIONS
I - V; and WHITE PARTNERSHIPS I - V,

Defendants/Judgment Debtors,

TOTAL SOLUTIONS, LLC,

Garnishee.

Case No.: TJ2008-008385

**HEARING REQUEST ON
GARNISHMENT EARNINGS
STATEMENT**

If you believe that the amount of your nonexempt earnings has been incorrectly calculated for this pay period or that no amount should be withheld because the Garnishment or underlying Judgment is invalid, satisfied or superseded, you may request a hearing within ten (10) days after receiving the attached Nonexempt Earnings Statement by completing this Request for Hearing and delivering it to the Court. Deliver a copy of your Request for Hearing to the Judgment Creditor and the Garnishee.

1 The Court will notify you and the other parties of the date and time for the hearing. A hearing
2 will be set within ten (10) days after your request.

3 I request a hearing for the following reason.

4 () The Nonexempt Earnings Statement is incorrectly filled out.

5 () Other
6
7

8 _____
Name of Judgment Debtor (Print)

Signature of Judgment Debtor

9
10 Date: _____

11 Mailing Address: _____
12 _____
13 _____
14

14 Telephone No. _____
15

16 **WARNING: YOU WAIVE THE RIGHT TO A HEARING ON THE MONIES**
17 **WITHHELD IN THIS PAY PERIOD UNLESS YOU FILE THIS REQUEST FOR**
18 **HEARING WITHIN TEN DAYS (10) AFTER RECEIVING THE GARNISHEE'S**
19 **ANSWER OR YOU SHOW GOOD CAUSE FOR FILING THE REQUEST LATE.**

20 Notice of Hearing Date

21 Hearing is set for _____ on _____ at the Court shown above.
22

(Time)

(Date)

23 Date: _____ Clerk: _____
24
25
26
27
28

1 **INSTRUCTIONS TO GARNISHEE: TOTAL SOLUTIONS, LLC**

2 **GARNISHMENT OF EARNINGS**

3 You have been served with two (2) copies of a Writ and Summons of Garnishment, a
4 copy of the underlying Judgment, four (4) copies of an Answer form, two (2) copies of a
5 Notice to Judgment Debtor, two (2) copies of a Request for Hearing form, two (2) copies of
6 these instructions, and four (4) copies of Nonexempt Earnings Statements.

7 The following definitions apply to the Writ of Garnishment and other documents served
8 on you:

9 You are the "Garnishee."

10 "Judgment Creditor" means a party who has money Judgment or an Order for Support of
11 a person that is due and unpaid.

12 "Judgment Debtor" means a party against whom a money Judgment or Order for Support
13 of a person has been awarded.

14 "Earnings" means compensation paid or payable for personal services, whether these
15 payments are called wages, salary, commission, bonus or otherwise. Earnings include
16 periodic payments pursuant to a pension or retirement program.

17 "Disposable earnings" means that amount remaining from the gross earnings for a pay
18 period after the deductions required by State and Federal law.

19 "Exempt earnings" means those earnings or that portion of earnings that, pursuant to State
20 or Federal law, are not subject to judicial process including garnishment.

21 "Nonexempt earnings" means those earnings or that portion of earnings that are subject to
22 judicial process including garnishment.

23 "Payday" means the fixed, regular day for payment of wages designated by an employer.

24 If the Judgment Debtor is employed by you, or you otherwise owe earnings to the
25 Judgment Debtor, the Writ and Summons of Garnishment is a lien on the nonexempt
26 earnings of the Judgment Debtor from the date of service of the Writ. You must start to
27 withhold nonexempt earnings of the Judgment Debtor each payday as of that time although
28 you are not liable to the Judgment Creditor for failing to withhold earnings from a Judgment
Debtor if those earnings are paid to a Judgment Debtor on a payday falling within three days,
not including weekends and holidays, after the date of the service of the Writ of
Garnishment.

1 **Within ten (10) days of being served with the Writ and Summons of Garnishment,**
2 **you must file an Answer to the Garnishment with the Clerk of the Maricopa County**
3 **Superior Court, 201 W. Jefferson, 2nd Floor, Phoenix, AZ 85003. The Answer shall be in**
4 **writing, signed by you, true, and under oath.** If there is more than one Judgment Debtor, you
5 must answer as to each Judgment Debtor named in the Writ of Garnishment. The Answer
6 may be filed with the Court without representation by an attorney. At the time of filing the
7 Answer, you must hand deliver, serve or mail by regular first class mail a copy of the
8 Answer to the Judgment Creditor or the Judgment Creditor's attorney if the Judgment
9 Creditor is represented by an attorney. At the same time, you must hand deliver, serve or
10 mail by regular first class mail to the Judgment Debtor a copy of the Answer and a copy of
11 the Notice to Judgment Debtor and Request for Hearing form. You shall state the time and
12 manner of delivery to the Judgment Creditor and Judgment Debtor in the Answer. The
13 Answer shall contain the information which is set forth in the Answer form provided you and
14 you may use that form. The case number and the names of both the Judgment Creditor and
15 Judgment Debtor must be inserted in the appropriate spaces on the Answer. Use the case
16 number and the names that appear on the Writ of Garnishment.

17 If it appears from the Answer you file that the Judgment Debtor was employed by you, or
18 that you otherwise owed earnings to the Judgment Debtor when the Writ was served, or
19 earnings would be owed within sixty (60) days thereafter and there is no timely written
20 objection to the Writ or your Answer, on application by the Judgment Creditor, the Court
21 will order that the nonexempt earnings withheld by you after service of the Writ be
22 transferred to the Judgment Creditor who is entitled to such monies subject to the Judgment
23 Debtor's right to objection and hearing. The Court will order that the garnishment is a
24 continuing lien against the nonexempt earnings of the Judgment Debtor. The Judgment
25 Creditor will deliver a copy of this Order of Continuing Lien to you. When you receive this
26 Order, you are to immediately send all of the earnings withheld since service of the Writ of
27 Garnishment to the Judgment Creditor's attorney at the following address: Law Office of Joe
28 Pezzuto, LLC, 4013 East Broadway Road, Suite A-2, Phoenix, Arizona 85040. Furthermore,
you are to withhold and send to the Judgment Creditor or his attorney the nonexempt
earnings of the Judgment Debtor each succeeding payday until the occurrence of any of the
following:

1. The underlying Judgment is satisfied in full, or is vacated or expires.
2. The Judgment Debtor leaves your employ for more than sixty (60) days.
3. The Judgment Creditor releases the garnishment.
4. The proceedings are stayed by a Court of competent jurisdiction, including the United States Bankruptcy Court.
5. The Judgment Debtor has not earned any nonexempt earnings for at least sixty (60) days.

1
2 6. The Court orders that the garnishment be quashed.

3
4 If no objections are filed to your Answer to the Writ and Summons of Garnishment and
5 the above-mentioned Order of Continuing Lien is not entered within forty-five (45) days
6 after the filing of your Answer, any earnings held by you shall be released to the Judgment
7 Debtor and you will be discharged from any liability on the garnishment.

8
9 You have been provided with four (4) copies of Nonexempt Earnings Statements.
10 Beginning with the pay period during which the Writ was served, and while the Order of
11 Continuing Lien remains in effect, for each pay period you must do the following:

12 1. Complete the Nonexempt Earnings Statement.

13 2. Hand deliver, serve or mail by regular first class mail the Nonexempt Earnings
14 Statement to the Judgment Debtor with the Judgment Debtor's exempt earnings for that
15 pay period.

16 3. At the same time hand deliver, serve or mail by regular first class mail a copy of the
17 Nonexempt Earnings Statement to the Judgment Creditor or the Judgment Creditor's
18 attorney.

19
20 NEITHER THE ORIGINAL NOR A COPY OF THE NONEXEMPT EARNINGS
21 STATEMENT SHALL BE FILED WITH THE COURT UNLESS AN OBJECTION TO
22 THE AMOUNT WITHHELD, IF ANY, IS TIMELY FILED BY A PARTY. NOR
23 SHOULD YOU SEND ANY WITHHELD EARNINGS TO THE COURT.

24
25 The Judgment Creditor must deliver to you sufficient copies of the appropriate
26 Nonexempt Earnings Statement and Request for Hearing forms so that you are able to
27 comply with these requirements unless the Judgment Creditor is advised that you will supply
28 your own forms.

While a continuing lien is in effect you may deduct from the nonexempt earnings of the
Judgment Debtor the amount of \$5.00 each payday as a fee for preparing and delivering the
Nonexempt Earnings Statement.

If a party has an objection to the Writ and Summons of Garnishment, your Answer to the
Writ and Summons of Garnishment, or a Nonexempt Earnings Statement, the objecting party
may file a written objection and Request for Hearing form. A hearing must be requested no
later than ten (10) days after receipt of the Answer or Nonexempt Earnings Statement
objected to unless good cause for filing the request later is shown. At the time of filing the
Request for Hearing form, the party filing the objection shall mail by regular first class mail
or hand deliver or serve a copy of the form to all parties to the Writ. A hearing will then be

1 held within ten (10) days of the filing of an objection, the Court will enter an Order, and a
2 copy of the Order will be delivered to you.

3 You may conclusively rely on and you are not liable to the Judgment Debtor for acting in
4 reliance on the validity and authenticity of a garnishment that appears legitimate on its face.
5 However, for noncompliance with your responsibilities set forth in these Instructions, the
6 garnishment law provides as follows:

7 If you fail to answer the Writ and Summons of Garnishment within ten (10)
8 days, the Judgment Creditor may petition the Court for the issuance of an
9 Order requiring you to appear before the Court at a time and place specified in
10 the Order to answer the Writ or to file and serve a copy of the Answer on the
11 Judgment Creditor or on the Judgment Creditor's attorney at least five (5) days
12 before the appearance date. If you fail to appear or file and serve the Answer
13 after the service of the Order requiring the appearance in person or Answer
14 upon you, the Court may render Judgment by Default against you for the full
15 amount of the Judgment against the Judgment Debtor. The Court may award a
16 reasonable attorney's fee to the Judgment Creditor and against you if the Writ
17 was not answered within ten (10) days of service and a petition requiring you
18 to appear or answer was filed.

19 Furthermore, A.R.S. §12-1598.13 provides for contempt proceedings:

20 B. If a garnishee fails after written notice to deliver nonexempt earnings to the
21 Judgment Creditor within thirty days after the ending date of the pay period, or
22 fails after written notice to deliver the Nonexempt Earnings Statement to the
23 Judgment Debtor with the exempt earnings, the Judgment Debtor may petition
24 the Court for relief. The Court shall, after notice, hold a hearing to determine if
25 such failure, if any, was willful or the result of gross negligence. If the Court
26 determines that the failure was willful or the result of gross negligence, the
27 Court shall find the garnishee in contempt and shall award the Judgment
28 Debtor all of the following:

1. An amount to compensate for actual losses, if any, caused by the failure to comply.
2. Reasonable attorney's fees, if the Judgment Debtor was represented by an attorney at such hearing.
3. Court costs. The Court may award the Judgment Debtor an additional amount not to exceed \$400.00.

C. While an Order of Continuing Lien pursuant to A.R.S. §12-1598.10 is in effect, if the garnishee fails to deliver to the Judgment Creditor the nonexempt earnings of the Judgment Debtor, if any, and the copy of the Nonexempt Earnings Statement within fourteen days of the end of the pertinent pay period,

1 and the Judgment Creditor thereafter delivers a written demand for the
2 nonexempt earnings and statement, and the garnishee does not comply within
3 fourteen days of the receipt of the written demand, the Judgment Creditor may
4 petition the Court for relief. The Court shall, after notice, hold a hearing to
5 determine whether the failure to comply with the written demand within
6 fourteen days of receipt, if any, was willful or the result of gross negligence.

7 If the Court determines that the failure was willful or the result of gross
8 negligence, the Court shall find the garnishee in contempt and shall award the
9 Judgment Creditor all of the following:

- 10 1. An amount to compensate for actual losses, if any, caused by the failure to
11 comply.
- 12 2. Reasonable attorney's fees, if the Judgment Creditor was represented by an
13 attorney at such hearing.
- 14 3. Court costs. The Court may award the Judgment Creditor an additional amount
15 not to exceed \$400.00.

16 In the event you have already been served, or are hereafter served, with a Garnishment,
17 Wage Assignment, or Levy, A.R.S. §12-1598.14 provides for priority as follows:

18 A. Except as provided in subsections B and C, conflicting Wage Assignments,
19 Garnishments and Levies rank according to priority in time of service.

20 B. Garnishments, Levies and Wage Assignments which are not for the support of a
21 person are inferior to Wage Assignments for the support of a person. Garnishments which
22 are not for the support of a person and Levies are inferior to Garnishments for the support
23 of a person.

24 C. If a Judgment Debtor's earnings become subject to more than one Writ of
25 Garnishment pursuant to this Article, and because of the application of the priorities set
26 forth in subsections A and B, a Judgment Creditor recovers no nonexempt earnings for
27 two consecutive paydays, the lien on earnings of such Judgment Creditor is invalid and of
28 no force and effect, and the garnishee shall notify the Judgment Creditor accordingly.

Joseph J. Pezzuto II
Joe Pezzuto, LLC, Law Offices of
4013 East Broadway Road #A2
Phoenix, AZ 85040
(866) 414-2324
SBN: 023403

**IN THE SUPERIOR COURT OF THE STATE OF ARIZONA
IN AND FOR THE COUNTY OF MARICOPA
201 WEST JEFFERSON, PHOENIX, AZ 85003**

CACH, LLC

CASE NO. TJ2008-008385

Plaintiff,

V.

MICHAEL R. VOIGTSBERGER, ET
UX, ET AL

Defendant,

CERTIFICATE OF ATTEMPTED SERVICE

Suzette A. Joralmon, being duly sworn, states; that he/she is duly qualified to serve process in this cause, having been so appointed by the court, that he/she received the following document(s) in this action:

2 Writ & Summons of Garnishment, Underlying Judgment, 2 Instructions to Garnishee, 4 Answer Forms, 4 Non-Exempt Earnings Statements, 2 Notices to Judgment Debtor & Request for Hearing Forms, 2 Second Notices to Judgment Debtor & Request for Hearing Forms

From Joseph J. Pezzuto II on September 25, 2013, attorney(s) for the Plaintiff;
that he/she personally served the same upon the party/parties in the manner named below:

NAME: TOTAL SOLUTIONS, INC., THRU THEIR STATUTORY AGENT PHILLIP STARR
DATE & TIME: 09/26/2013, at 05:05 pm
PLACE: 26869 NORTH 89TH DRIVE, PEORIA, AZ 86383

I was unable to serve them for the following reason:

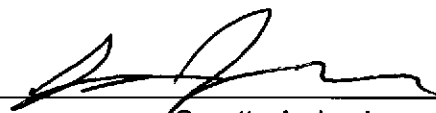
On 09/26/13 I found per current resident Mario Fergoso, moved here in June. Defendant is unknown here but they do receive mail and packages from Total Solutions.

Need to serve on Arizona Corporation Commission.

Charges

Document Prep	\$ 11.00
Mileage	\$ 74.40
total:	\$ 85.40

I declare under penalty of perjury that the foregoing is true.



Suzette A. Joralmon
Process Server registered in Maricopa County

CORPORATIONS DIVISION
RECORDS SECTION
1300 West Washington
Phoenix, Arizona 85007-2929

User Id: MLEE
Invoice No.: 4311588

Check Batch:
Invoice Date: 10/03/2013
Date Received: 10/03/2013
Customer No.:

ATTN:
(CASH CUSTOMER)

Quantity	Description	Amount
1	SERVICE OF PROCESS	\$25.00
	L-1510861-2 TOTAL SOLUTIONS, LLC	
	Total Documents: \$	25.00
	CHECK 11546	\$25.00
	PAYMENT	
	Balance Due: \$	0.00

Corporate Inquiry

10/03/2013

State of Arizona Public Access System

9:13 AM

File Number: L-1510861-2

Corp. Name: TOTAL SOLUTIONS, LLC

Domestic Address

3207 S WILSON ST

TEMPE, AZ 85282

Second Address

Agent: PHILLIP STARR

Status: APPOINTED 03/06/2009

Mailing Address:

26869 N 89TH DR

PEORIA, AZ 86383

Agent Last Updated: 04/29/2009

Business Type:

Domicile: ARIZONA

County: MARICOPA

Corporation Type: DOMESTIC L.L.C.

Life Period: PERPETUAL

Incorporation Date: 03/06/2009

Approval Date: 03/18/2009

Last A/R Received: /

Date A/R Entered:

Next Report Due:

LAST RECORD IN MICROFILM FILE FOR THIS CORPORATION. (A205)



