

COMMISSIONERS
BOB STUMP – Chairman
GARY PIERCE
BRENDA BURNS
BOB BURNS
SUSAN BITTERS MITH



04682571
JODI JERCH
Executive Director

PATRICIA L. BARFIELD
Director
Corporations Division

ARIZONA CORPORATION COMMISSION

Date May 12, 2014

HELPING ASSOCIATES, INC
1901 N TREKELL RD
CASE GRANDE, AZ 85122

Dear Sir or Madam:

Enclosed is a copy of the following document(s) that were served upon the Arizona Corporation Commission on 05/09/2014 as agent for **HELPING ASSOCIATES, INC:**

Case caption: **PORTFOLIO RECOVERY ASSOCIATES, LLC v. JODI LIVERMON etal,**
Case number: **CC2013084632RC** Court: **MARICOPA COUNTY SAN TAN PRECINCT JUSTICE COURT**

- ☐ Summons
- ☐ Complaint
- ☐ Subpoena
- ☐ Subpoena Duces Tecum
- ☐ Default Judgment
- ☐ Judgment
- ☐ Writ of Garnishment
- ☐ Motion For Summary Judgment
- ☐ Motion for
- ☒ Other **APPLICATION FOR WRIT OF GARNISHMENT (EARNINGS)**

Sincerely,

A handwritten signature in cursive script, appearing to read "Lynda B. Griffin".

Lynda B. Griffin
Custodian of Records

Initials **ML**
File number **-0144920-7**

COMMISSIONERS
BOB STUMP - Chairman
GARY PIERCE
BRENDA BURNS
BOB BURNS
SUSAN BITTERSMTIH



ARIZONA CORPORATION COMMISSION

JODI JERICH
Executive Director

PATRICIA L. BARFIELD
Director, Corporations Division

CERTIFICATE OF MAILING

Date: **May 12, 2014**

I, **Mary Lee** am an employee of the Arizona Corporation Commission ("ACC"). I hereby certify that on the **9TH** day of **MAY, 2014**, I received on behalf of the ACC service of the following documents upon the ACC as agent for **HELPING ASSOCIATES, INC.**

Case caption: **PORTFOLIO RECOVERY ASSOCIATES, LLC** v. **JODI LIVERMON etal,**
Case number: **CC2013084632RC**
Court: **MARICOPA COUNTY SAN TAN JUSTICE COURT**

- | | |
|---|--|
| <input type="checkbox"/> Summons | <input type="checkbox"/> Default Judgment |
| <input type="checkbox"/> Complaint | <input type="checkbox"/> Judgment |
| <input type="checkbox"/> Subpoena | <input type="checkbox"/> Writ of Garnishment |
| <input type="checkbox"/> Subpoena Duces Tecum | |
| <input type="checkbox"/> Motion For Summary Judgment | |
| <input type="checkbox"/> Motion for | |
| <input checked="" type="checkbox"/> Other APPLICATION FOR WRIT OF GARNISHMENT (EARRINGS) | |

I hereby certify that on the **12TH** day of **MAY, 2014**, I placed a copy of the above listed documents in the United States Mail, postage prepaid, addressed to

HELPING ASSOCIATES, INC

at its last known place of business as follows:

1901 N TREKELL RD
CASA GRANDE, AZ 85122

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: **May 12, 2014**

(signature) _____

Guglielmo & Associates
P.O. Box 41688
Tucson, Arizona 85717
(520) 325-5700
Email: Legal@guglielmolaw.com

SAN TAN JUSTICE COURT
13 NOV 25 AM 11:15

San Tan Precinct Justice Court
201 E. Chicago St., Ste. 102, Chandler AZ 85225-8531
County of Maricopa, State of Arizona

Plaintiff Portfolio Recovery Associates, LLC	NO. CC2013084632RC
Defendant Jodi Livermon Jane/John Doe Livermon (if married)	APPLICATION FOR WRIT OF GARNISHMENT (EARNINGS)

Garnishee HELPING ASSOCIATES INC

1. I am the (agent for the) Judgment Creditor in this action, and I make this application for issuance of a Writ of Garnishment, stating the following:
2. That the Judgment Creditor is a party in an action to whom a money judgment has been awarded;
3. That the Judgment Creditor has made demand on the Judgment Debtor for payment of the amount adjudged due, but the Judgment Debtor has not paid that amount and he has not agreed and continued to pay the non-exempt portion of his wages until the Judgment is satisfied;
4. The amount of the outstanding balance due on the judgment is the sum of \$5833.52; and
5. That the Garnishee is believed to be an employer of the Judgment Debtor or otherwise owes or will owe to the Judgment Debtor disposable earnings.
6. The Garnishee's name and address is:
HELPING ASSOCIATES INC , 1000 RACINE PLACE, , CASA GRANDE AZ 85122
7. The Judgment Creditor has not received notice of the judgment debtor's intent to enter into an agreement for debt scheduling with a qualified consumer credit counseling service.

THEREFORE, I request that a Writ of Garnishment be issued.
DATED November 15, 2013

GUGLIELMO & ASSOCIATES

BY:

Christopher N. Kalabus STATE BAR #019839/PCC#65436
Paul D. Guglielmo STATE BAR #005585/PCC# 22308
David J. Mittleman STATE BAR #028527/PCC# 66375
John A. Daddona STATE BAR #027793/PCC# 66304

Attorney for Plaintiff/Judgment Creditor
280147

WGC

Guglielmo & Associates
P.O. Box 41688
Tucson, Arizona 85717
(520) 325-5700
Email: Legal@guglielmolaw.com

PRECINCT JUSTICE COURT
13 NOV 25 AM 11:15

San Tan Precinct Justice Court
201 E. Chicago St., Ste. 102, Chandler AZ 85225-8531
County of Maricopa, State of Arizona

Plaintiff Portfolio Recovery Associates, LLC	NO. CC2013084632RC
Defendant Jodi Livermon Jane/John Doe Livermon (if married)	WRIT OF GARNISHMENT and SUMMONS (Earnings - Continuing Lien)

Garnishee
HELPING ASSOCIATES INC

THE STATE OF ARIZONA TO THE SHERIFF, CONSTABLE OR ANY OTHER OFFICER OF
Maricopa COUNTY, WHO IS AUTHORIZED BY LAW TO SERVE PROCESS:

JUDGMENT CREDITOR'S CLAIM OF \$5596.34, together with interest, costs and
other relief in this action against the following Judgment Debtor(s):
Jodi Livermon

THEREFORE, you are commanded to summon and appear before this court the
Garnishee whose name and address appears below, who is believed to be within
your county.

The Judgment Creditor states as follows:

1. The Judgment Creditor has a Judgment against the above described
Judgment Debtor in the amount of \$5833.52 as of the date of issuance of this
Writ of Garnishment.

2. The rate of interest on this Judgment is 4.2500% on the principal
sum of \$5596.34, 4.2500% on the attorney's fees \$0.00 and 4.2500% on accruing
court costs of \$201.50. The interest to date is \$35.68.

3. The name and address of the Garnishee is:
HELPING ASSOCIATES INC , 1000 RACINE PLACE, , CASA GRANDE AZ 85122
Its authorized agent is as follows:
JOAN M MCGILLICUDDY, 11780 W AUTUMNWOOD RD, CASA GRANDE AZ 85222



Barcode: *WG0000280147*

4. The last known mailing address of the Judgment Debtor is:
Jodi Livermon, 3247 E DEVONSHIRE CT, GILBERT AZ 85297-3021
5. The Judgment Creditor's name and address is:
Portfolio Recovery Associates, LLC c/o Guglielmo & Associates,
P.O. Box 41688, Tucson, AZ 85717
6. And its attorney's name and address is:
Guglielmo & Associates, P.O. Box 41688, Tucson, AZ 85717

TO THE ABOVE NAMED GARNISHEE:

GARNISHEE SHALL answer in writing, under oath, within ten (10) days after the service of the Writ of Garnishment upon you, all of the following questions:

1. Whether the Judgment Debtor(s) 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(s) after making a good faith effort to do so, a statement of the effort made and reasons for such inability.
4. The dates of the next two paydays occurring after the date of service of the Writ.
5. The pay period of the Judgment Debtor(s), whether weekly, biweekly, semimonthly, monthly or another specified period.
6. The amount of the outstanding Judgment now due and owing as stated in the Writ.
7. Whether the Judgment Debtor(s) is subject to an existing wage assignment, garnishment or levy, and if so, the name, address and telephone number of that Judgment Creditor.
8. The name, address and telephone number of the Garnishee.
9. The date and manner of delivery of a copy of the Answer to the Judgment Debtor(s) and Judgment Creditor.

FROM AND AFTER SERVICE of the Writ of Garnishment, the Garnishee shall not pay to the Judgment Debtor(s) any earnings which are not exempt.

IF IT APPEARS FROM THE ANSWER OF THE GARNISHEE that the Garnishee was indebted to the Judgment Debtor(s) any earnings which are not exempt.

IF IT APPEARS FROM THE ANSWER OF THE GARNISHEE that the Garnishee was indebted to the Judgment Debtor(s) for disposable earnings when the writ was served, the garnishment shall be continuing in nature as a lien against nonexempt earnings, A.R.S. §12-1598.05.

AS TO DISPOSABLE EARNINGS, as defined in A.R.S. §33-1131, a garnishment is continuing in nature, subject to the following conditions:

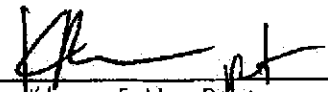
1. The garnishment constitutes a lien against non-exempt earnings.
2. The garnishment is the equivalent of a court ordered assignment, compelling the garnishee to remit the non-exempt earnings to the Plaintiff, as they are earned, A.R.S. §12-1598.10.
3. The garnishment shall survive until any of the following occurs:
 - a. The underlying judgment is satisfied in full, is vacated, or expires.
 - b. The Judgment Debtor(s) leaves the Garnishee's employ for more than sixty (60) days.
 - c. The Judgment Creditor releases the garnishment.
 - d. The proceedings are stayed by a court of competent jurisdiction, including the United States Bankruptcy Court.
 - e. The Judgment Debtor(s) has not earned any non-exempt earnings for at least sixty (60) days.
4. Garnishments, levies and wage assignments which are not for the support of a person are inferior to wage assignments for the support of a person. Garnishments which are not for the support of a person and levies are inferior to garnishments for the support of a person.
5. If a Judgment Debtor(s)' earnings become subject to more than one Writ of Garnishment, and because of the application of the priorities, a Judgment Creditor recovers no non-exempt earnings for two (2) consecutive paydays, the lien on earnings of such Judgment Creditor is invalid and of no force and effect, and the Garnishee shall notify the Judgment Creditor accordingly.

SUMMONS

In obedience to the attached and foregoing Writ of Garnishment, I DO HEREBY SUMMONS AND REQUIRE YOU TO APPEAR and answer the foregoing writ and in the manner prescribed by law within the times 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 in person before it to answer the Writ of 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. If you fail to appear or to file and serve the answer as specified in the order, judgment by default may be rendered against you for the full amount of the relief demanded in the Complaint of the Plaintiff and not merely for the amount you may owe to the Defendant, and that such judgment may be so rendered in addition to any other matters which may be adjudged against you as prescribed by law.

DATED

12-4-13


Justice of the Peace

Requests for reasonable accommodation for persons with disabilities must be made to the division assigned to the case by parties at least 3 judicial days in advance of a scheduled court proceeding. Maricopa County Local Rule 2.5

This office is attempting to collect this debt and any information obtained will be used for that purpose.

Debtor Id: 4940650009396126

Christopher N. Kalabus STATE BAR #019839/PCC#65436
Paul D. Guglielmo STATE BAR #005585/PCC# 22308
David J. Mittleman STATE BAR #028527/PCC# 66375
John A. Daddona STATE BAR #027793/PCC# 66304

WGC

280147

HELPING ASSOCIATES INC

Information Sheet for the Employer

Portfolio Recovery Associates, LLC
Plaintiff

Case No. CC2013084632RC

Guglielmo & Associates, PLLC
P.O. Box 41688
Tucson, Az 85717

Address

-vs-

Jodi Livermon (ss #***-**-7826)

Defendant

Please call 877.325.5700 OPTION 3 if further information is required.

INSTRUCTIONS TO EMPLOYER/GARNISHEE

You are the Employer/Garnishee in this case. You have received the following:

- Summons and Writ of Garnishment-Earnings**, which names the parties and the reasons for the garnishment. (2 copies)
- Judgment or Order**, which shows what judgment the Judgment Debtor (your employee) owes the Judgment Creditor. (1 copy)
- Answer of Employer/Garnishee**, which is the form you will use to respond to the garnishment. (4 copies)
- Notice to Judgment Debtor**, (2 copies)
- Request for Hearing on Garnishment-Earnings**, (2 copies)
- Nonexempt Earnings Statement form**, which you will use to calculate how much to withhold from your employee's pay. (4 copies)
- Request for Hearing on Garnishment-Earnings**, (4 copies)

1. Fill out the Answer of Employer/Garnishee form completely. Print and sign your name where indicated, and have your signature notarized by a Notary Public.
2. File or mail the completed original Answer of Employer/Garnishee form to the court at the address indicated at the top of the Answer within ten (10) days.
3. Mail or deliver a copy of the completed Answer of Employer/Garnishee form to Guglielmo & Associates at P.O. Box 41688, Tucson, AZ 85717.
4. Mail or deliver a copy of the completed Answer of Employer/Garnishee form to the Judgment Debtor (your employee) along with one of the provided copies of both the Notice to Judgment Debtor and Request for Hearing.
5. Each pay period, you must calculate how much money to withhold from your employee's earnings by filling out the Nonexempt Earnings Statement form, and then withhold the amount indicated on line #7. You may deduct the amount of \$5.00 from your employee's pay each pay period for preparing and delivering the Nonexempt Earnings Statement form.
6. You must immediately begin withholding the proper amounts from the Judgment Debtor's (your employee's) wages, regardless of any objections or explanations he/she makes. This is true even if an objection or request for hearing is filed. You are not liable for failing to withhold earnings which are paid to your employee within three (3) days after your receipt of the Summons and Writ of Garnishment-Earnings.
7. Do not send any of the withheld money to Guglielmo & Associates until you are instructed to do so by the court. Such instructions will be in the form of a court document, signed by a judge, entitled Order of Continuing Lien.
8. For each pay period prior to your receipt of a copy of the signed Order of Continuing Lien, give a copy of the completed Nonexempt Earnings Statement and Request for Hearing on Garnishment-Earnings Form to your employee along

with his/her paycheck. Mail a copy of the Nonexempt Earning Statement to Guglielmo & Associates at P.O. Box 41688, Tucson, AZ 85717.

9. Once you have received a copy of the signed Order of Continuing Lien, you must send a check(s) made payable to Paul D. Guglielmo for the full amount you have previously withheld from your employee's wages, to Guglielmo & Associates, P.O. Box 41688, Tucson, AZ 85717.

10. For each pay period thereafter, give a copy of the completed Nonexempt Earning Statement and Request for Hearing on Garnishment-Earnings Form to your employee along with his/her paycheck. Mail a copy of the Nonexempt Earnings Statement to Guglielmo & Associates, P.O. Box 41688, Tucson, AZ 85717, along with a check made payable to Paul D. Guglielmo in the amount withheld from your employee's wages for that pay period.

OBJECTIONS AND HEARINGS

The Judgment Debtor (your employee) can object to the garnishment, your answer and the nonexempt earnings statement. Paul D. Guglielmo, on behalf of the Judgment Creditor, can object if you do not complete the Answer of Employer/Garnishee or do not so truthfully, or if you do not send a copy of the nonexempt earnings statement to them for each and every pay period regardless of whether any monies can be withheld. If a hearing is requested, the court will inform all parties of the hearing date. You must attend the hearing if there is an objection involving the Nonexempt Earnings Statement or the accuracy of your Answer of Employer/Garnishee. You may attend the hearing on any other objection.

ORDER OF CONTINUING LIEN

Once you receive the Order of Continuing Lien, the garnishment will continue until **a)** the Judgment Debtor leaves your employment for more than 60 days; **b)** the Judgment is satisfied; **c)** Guglielmo & Associates releases the garnishment on behalf of the creditor; **d)** the Judgment Debtor has not earned any nonexempt earnings for more than 60 days; **e)** the Judgment Debtor files bankruptcy; **f)** the court quashes the garnishment.

If an Order of Continuing Lien is not signed by the court within 45 days from the date the court receives your Answer of Employer/Garnishee, any earnings held by you shall be released to your employee and you will be discharged from any liability on the garnishment. However, the 45 day time limit DOES NOT apply if any party objects to your Answer of Employer/Garnishee or if your employee requests a hearing. **WARNING: You should contact Guglielmo & Associates at (520) 325-5700 to confirm whether the court has signed an Order of Continuing Lien or if the 45 day time limit even applies, PRIOR to releasing any monies. You will be liable for any monies improperly released.**

BANKRUPTCY

A bankruptcy stops the garnishment without any further action required by your employee, the court or Guglielmo & Associates on behalf of the Judgment Creditor. It is a violation of Federal Law to continue to withhold your employee's earnings once he/she files bankruptcy.

IMPORTANT REMINDERS

1. You have only ten (10) days from the date you get the Writ to file the Answer of Employer/Garnishee with the court and send a copy to Guglielmo & Associates' office.
2. Do not send any money to Paul D. Guglielmo until the court signs an Order of Continuing Lien. Do not send any money to the court. Once an Order of Continuing Lien is signed, all money should be sent directly to Guglielmo & Associates. All checks or money orders should be made payable to Paul D. Guglielmo.
3. To determine when you have withheld enough monies to satisfy the judgment, YOU MUST CONTACT Guglielmo & Associates at (520) 325-5700, as additional court cost and interest will have accrued since the issuance of the Writ.
4. You must fill out a nonexempt earnings statement for each and every pay period, even if there is nothing to withhold, your employee earned nothing or is on a leave of absence. You must also give a copy of each statement to your employee and Guglielmo & Associates.
5. If you have notice that your employee has filed bankruptcy, STOP the withholding immediately.

WARNING

IF YOU FAIL TO COMPLY WITH THESE REQUIREMENTS, THE COURT MAY FIND YOU IN CONTEMPT AND CAN MAKE YOU LIABLE FOR PAYING THE TOTAL AMOUNT OF YOUR EMPLOYEE'S JUDGMENT, PLUS ADDITIONAL STATUTORY DAMAGES. YOUR EMPLOYEE CAN NOT BE TERMINATED BECAUSE OF THIS GARNISHMENT.

INSTRUCTIONS TO EMPLOYER/GARNISHEE

You are the Employer/Garnishee in this case. You have received the following:

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7. Do not send any of the withheld money to Guglielmo & Associates until you are instructed to do so by the court. Such instructions will be in the form of a court document, signed by a judge, entitled Order of Continuing Lien.
8. For each pay period prior to your receipt of a copy of the signed Order of Continuing Lien, give a copy of the completed Nonexempt Earnings Statement and Request for Hearing on Garnishment-Earnings Form to your employee along

G&A # 280147

with his/her paycheck. Mail a copy of the Nonexempt Earning Statement to Guglielmo & Associates at P.O. Box 41688, Tucson, AZ 85717.

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OBJECTIONS AND HEARINGS

The Judgment Debtor (your employee) can object to the garnishment, your answer and the nonexempt earnings statement. Paul D. Guglielmo, on behalf of the Judgment Creditor, can object if you do not complete the Answer of Employer/Garnishee or do not so truthfully, or if you do not send a copy of the nonexempt earnings statement to them for each and every pay period regardless of whether any monies can be withheld. If a hearing is requested, the court will inform all parties of the hearing date. You must attend the hearing if there is an objection involving the Nonexempt Earnings Statement or the accuracy of your Answer of Employer/Garnishee. You may attend the hearing on any other objection.

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IMPORTANT REMINDERS

1. You have only ten (10) days from the date you get the Writ to file the Answer of Employer/Garnishee with the court and send a copy to Guglielmo & Associates' office.
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3. To determine when you have withheld enough monies to satisfy the judgment, YOU MUST CONTACT Guglielmo & Associates at (520) 325-5700, as additional court cost and interest will have accrued since the issuance of the Writ.
4. You must fill out a nonexempt earnings statement for each and every pay period, even if there is nothing to withhold, your employee earned nothing or is on a leave of absence. You must also give a copy of each statement to your employee and Guglielmo & Associates.
5. If you have notice that your employee has filed bankruptcy, STOP the withholding immediately.

WARNING

IF YOU FAIL TO COMPLY WITH THESE REQUIREMENTS, THE COURT MAY FIND YOU IN CONTEMPT AND CAN MAKE YOU LIABLE FOR PAYING THE TOTAL AMOUNT OF YOUR EMPLOYEE'S JUDGMENT, PLUS ADDITIONAL STATUTORY DAMAGES. YOUR EMPLOYEE CAN NOT BE TERMINATED BECAUSE OF THIS GARNISHMENT.

Guglielmo & Associates
P.O. Box 41688
Tucson, AZ 85717
(520) 325-5700

San Tan Precinct Justice Court
201 E. Chicago St., Ste. 102, Chandler AZ 85225-8531
County of Maricopa, State of Arizona

Plaintiff Portfolio Recovery Associates, LLC Defendant Jodi Livermon JODY LYN DOLLANDER / HAYNES Jane/John Doe Livermon (if married)	NO. CC2013084632RC INITIAL NOTICE TO JUDGMENT DEBTOR (EARNINGS)
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Garnishee HELPING ASSOCIATES INC

El tribunal ha ordenado que su empleador tome una parte de su salario o sueldo y que pague a su acreedor hasta terminado el proceso 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.

To collect his 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 name and address of the Judgment Creditor and Garnishee are stated in the Writ and the copy of the Judgment, which is attached.

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

The law provides that a certain amount of each paycheck or other earnings is exempt from 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. Different exemption rights may apply to the collection of taxes.

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

1. Answer of Garnishee.
2. Notice to Judgment Debtor, which explains your rights and the procedures in the Garnishment process.

3. Request for Hearing form, which you can use to request a hearing if you believe that the amount withheld from your earnings is greater than the law allows or that the Garnishment is invalid.

On each normal payday you should receive some earnings (paycheck) for the amount the Garnishee calculates is protected by law. That calculation is made on a Nonexempt Earnings Statement, a copy of which should accompany your paycheck. (*See below).

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

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 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 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.

*if the Judgment Creditor's debt is subject to an effective agreement for debt scheduling between you and a qualified consumer credit counseling service and if you do not receive a paycheck, or if a copy of the non-exempt earning statement does not accompany your paycheck, you may request a hearing.

Christopher N. Kalabus STATE BAR #019839/PCC#65436
Paul D. Guglielmo STATE BAR #005585/PCC# 22308
David J. Mittleman STATE BAR #028527/PCC# 66375

Guglielmo & Associates
P.O. Box 41688
Tucson, AZ 85717
(520) 325-5700

San Tan Precinct Justice Court
201 E. Chicago St., Ste. 102, Chandler AZ 85225-8531
County of Maricopa, State of Arizona

Plaintiff Portfolio Recovery Associates, LLC	NO. CC2013084632RC
Defendant Jodi Livermon JODY LYN DOLLANDER / HAYNES Jane/John Doe Livermon (if married)	INITIAL NOTICE TO JUDGMENT DEBTOR (EARNINGS)

Garnishee HELPING ASSOCIATES INC

El tribunal ha ordenado que su empleador tome una parte de su salario o sueldo y que pague a su acreedor hasta terminado el proceso 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.

To collect his 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 name and address of the Judgment Creditor and Garnishee are stated in the Writ and the copy of the Judgment, which is attached.

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

The law provides that a certain amount of each paycheck or other earnings is exempt from 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. Different exemption rights may apply to the collection of taxes.

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

1. Answer of Garnishee.
2. Notice to Judgment Debtor, which explains your rights and the procedures in the Garnishment process.

3. Request for Hearing form, which you can use to request a hearing if you believe that the amount withheld from your earnings is greater than the law allows or that the Garnishment is invalid.

On each normal payday you should receive some earnings (paycheck) for the amount the Garnishee calculates is protected by law. That calculation is made on a Nonexempt Earnings Statement, a copy of which should accompany your paycheck. (*See below).

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

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 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 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.

*if the Judgment Creditor's debt is subject to an effective agreement for debt scheduling between you and a qualified consumer credit counseling service and if you do not receive a paycheck, or if a copy of the non-exempt earning statement does not accompany your paycheck, you may request a hearing.

Christopher N. Kalabus STATE BAR #019839/PCC#65436
Paul D. Guglielmo STATE BAR #005585/PCC# 22308
David J. Mittleman STATE BAR #028527/PCC# 66375

Guglielmo & Associates
P.O. Box 41688
Tucson, AZ 85717
(520) 325-5700

San Tan Precinct Justice Court
201 E. Chicago St., Ste. 102, Chandler AZ 85225-8531
County of Maricopa, State of Arizona

Plaintiff Portfolio Recovery Associates, LLC	NO. CC2013084632RC
Defendant Jodi Livermon JODY LYN DOLLANDER / HAYNES Jane/John Doe Livermon (if married)	INITIAL NOTICE TO JUDGMENT DEBTOR (EARNINGS)

Garnishee HELPING ASSOCIATES INC

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Christopher N. Kalabus STATE BAR #019839/PCC#65436
Paul D. Guglielmo STATE BAR #005585/PCC# 22308
David J. Mittleman STATE BAR #028527/PCC# 66375

1 **Guglielmo & Associates, PLLC**
2 Attorneys for Plaintiff
3 3040 N Campbell Avenue Suite 100
4 Tucson, Arizona 85719
5 (520) 325-5700 Fax (520) 325-2480
6 legal@guglielmolaw.com
7 Christopher N. Kalabus STATE BAR #019839/PCC#65436
8 Paul D. Guglielmo STATE BAR #005585/PCC# 22308
9 David J. Mittleman STATE BAR #028527/PCC# 66375
10 John A. Daddona STATE BAR #027793/PCC# 66304

San Tan Precinct Justice Court

201 E. Chicago St., Ste. 105, Chandler AZ 85225-8531

11 Portfolio Recovery Associates, LLC,
12 Plaintiff

13 vs.

14 Jodi Livermon & Jane/John Doe Livermon (if married),
15 Defendant(s)

Case No.: CC2013084632RC

JUDGMENT AS TO Jodi Livermon ONLY

17 **NOW, THEREFORE, IT IS ORDERED** that Plaintiff is granted Judgment against Defendant(s):

18 Jodi Livermon

19 As follows:

- | | |
|--|-----------|
| 21 1. Principal | \$5596.34 |
| 22 2. Accrued costs through date of Judgment | \$146.00 |
| 23 3. Reasonable attorney's fees | WAIVED |

24
25 With interest at 4.25% on the sums above per annum from the date of judgment until paid in full.

26
27 Date: 9.23.13

28 JUSTICE OF THE PEACE



280147
JDG



Barcode JD0000280147

Guglielmo & Associates
P.O. Box 41688
Tucson, AZ 85717
(520) 325-5700

San Tan Precinct Justice Court
201 E. Chicago St., Ste. 102, Chandler AZ 85225-8531
County of Maricopa, State of Arizona

Plaintiff Portfolio Recovery Associates, LLC	NO. CC2013084632RC
Defendant Jodi Livermon JODY LYN DOLLANDER / HAYNES Jane/John Doe Livermon (if married)	NOTICE TO JUDGMENT DEBTOR (Earnings)

Garnishee HELPING ASSOCIATES INC

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 certain amount from your earnings and to continue 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 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. (*See below).

Among the reasons for requesting a hearing are:

1. The Judgment Creditor does not have a valid Judgment against you or the Judgment has been paid in full.
2. The Garnishee's Answer is incorrect.
3. Your earnings are already subject to a Writ of Garnishment or are subject to a court ordered Assignment for Payment of Support.
4. (**See below).

To request a hearing, deliver the Request for Hearing form (attached), or a substantially similar form to the Clerk of this Court. You must mail or deliver a copy of the Request for Hearing to the Garnishee and to the Judgment Creditor or his attorney at the address on the Writ of Garnishment.

If you do not deliver the Request for Hearing form to this court within 10 days after the date you receive this Notice and the Answer of the Garnishee, your request for hearing will 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.

If you request a hearing, it will be conducted no later than 10 days after your request is received by the court. The Court will send you notice of the date, time and place.

* 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.

** 4. The Judgment Creditor's debt is subject to an effective agreement for debt scheduling between you and a qualified consumer credit counseling service.

The nonexempt portion of your earnings will continue to be withheld by the Garnishee and delivered to the Judgment Creditor until the Judgment is paid in full, or the Garnishment is ordered to stop. Whether or not you request a hearing at this time, if you believe too much 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.

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

Christopher N. Kalabus STATE BAR #019839/PCC#65436
Paul D. Guglielmo STATE BAR #005585/PCC# 22308
David J. Mittleman STATE BAR #028527/PCC# 66375

Guglielmo & Associates
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Tucson, AZ 85717
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San Tan Precinct Justice Court
201 E. Chicago St., Ste. 102, Chandler AZ 85225-8531
County of Maricopa, State of Arizona

Plaintiff Portfolio Recovery Associates, LLC	NO. CC2013084632RC
Defendant Jodi Livermon JODY LYN DOLLANDER / HAYNES Jane/John Doe Livermon (if married)	NOTICE TO JUDGMENT DEBTOR (Earnings)

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Christopher N. Kalabus STATE BAR #019839/PCC#65436
Paul D. Guglielmo STATE BAR #005585/PCC# 22308
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San Tan Precinct Justice Court
201 E. Chicago St., Ste. 102, Chandler AZ 85225-8531
County of Maricopa, State of Arizona

Plaintiff Portfolio Recovery Associates, LLC	NO. CC2013084632RC
Defendant Jodi Livermon JODY LYN DOLLANDER / HAYNES Jane/John Doe Livermon (if married)	REQUEST FOR HEARING ON GARNISHMENT OF EARNINGS

Garnishee HELPING ASSOCIATES INC

I REQUEST A HEARING BECAUSE:

_____ 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 15 days. (*See below).

DATED _____

Signature of Judgment Debtor: _____
Printed Name, Address, Phone _____
of Judgment Debtor: _____

_____ *The debt of the Judgment Creditor is subject to an effective agreement for debt scheduling between me and a qualified consumer credit counseling service.

Notice of Hearing Date

Hearing is set for _____ on _____ at the court
above.
(time) (date)

Date: _____ Clerk/Commissioner: _____

Christopher N. Kalabus STATE BAR #019839/PCC#65436
Paul D. Guglielmo STATE BAR #005585/PCC# 22308
David J. Mittleman STATE BAR #028527/PCC# 66375

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San Tan Precinct Justice Court
201 E. Chicago St., Ste. 102, Chandler AZ 85225-8531
County of Maricopa, State of Arizona

Plaintiff Portfolio Recovery Associates, LLC	NO. CC2013084632RC
Defendant Jodi Livermon JODY LYN DOLLANDER / HAYNES Jane/John Doe Livermon (if married)	REQUEST FOR HEARING ON GARNISHMENT OF EARNINGS

Garnishee HELPING ASSOCIATES INC

I REQUEST A HEARING BECAUSE:

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_____ 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 15 days. (*See below).

DATED _____

Signature of Judgment Debtor: _____
Printed Name, Address, Phone
of Judgment Debtor: _____

_____ *The debt of the Judgment Creditor is subject to an effective agreement for debt scheduling between me and a qualified consumer credit counseling service.

Notice of Hearing Date

Hearing is set for _____ on _____ at the court
above.
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Date: _____ Clerk/Commissioner: _____

Christopher N. Kalabus STATE BAR #019839/PCC#65436
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*****REMINDER*****

ALL QUESTIONS MUST BE ANSWERED.
PLEASE BE SURE TO INDICATE THE DATE OF
DELIVERY FOR QUESTIONS #9 AND #10.
THE ANSWER NEEDS TO BE SIGNED AND
NOTARIZED. FAILURE TO COMPLY WITH THE
GARNISHMENT STATUTES COULD RESULT IN
THE GARNISHEE BEING LIABLE FOR
ATTORNEY FEES INCURRED.

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P.O. Box 41688
Tucson, AZ 85717
(520) 325-5700

San Tan Precinct Justice Court
201 E. Chicago St., Ste. 102, Chandler AZ 85225-8531
County of Maricopa, State of Arizona

Plaintiff Portfolio Recovery Associates, LLC	NO. CC2013084632RC
Defendant Jodi Livermon JODY LYN DOLLANDER / HAYNES Jane/John Doe Livermon (if married)	ANSWER OF GARNISHEE (Earnings - Continuing Lien)

Garnishee HELPING ASSOCIATES INC

1. I am the above-named Garnishee or am authorized by the Garnishee to make this Affidavit on his behalf, regarding the Writ of Garnishment served on Garnishee on _____.

2. Judgment Debtor was _____ was not _____ employed by the Garnishee on the date the Writ was served.

3. Garnishee does _____ does not _____ anticipate owing earnings to the Judgment Debtor with 60 days after the date of service of the Writ.

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

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

5a. _____ 5b. _____

6. Judgment Debtor is _____ is not _____ employed by the Garnishee currently. If yes, Judgment Debtor is paid (check which apply): _____ daily _____ weekly _____ bi-weekly _____ semi-monthly _____ monthly _____ commission/tips

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

Judgment Balance \$ _____



8. Judgment Debtor is _____ is not _____ subject to an existing Wage Assignment, Garnishment of Levy. If yes, give the name, address and telephone number of that Judgment Creditor.

9. If Garnishee answered "Yes" to either question #2 or #3, copies of this Answer and copies of the Notice of Judgment Debtor, Request for Hearing and Non-exempt Earnings Statement were delivered to the Judgment Debtor by

_____ hand delivery;
_____ regular first class mail to the address determined to be best calculated to reach the Judgment Debtor in a timely manner;
_____ service pursuant to the Rules of Civil Procedure applicable to a Summons,
on **_____. (DATE MUST BE INDICATED) **

10. Copies of this Answer and Non-Exempt Earnings Statement were delivered to the Judgment Creditor by

_____ hand delivery;
_____ regular first class mail;
_____ service pursuant to the Rules of Civil Procedure applicable to a Summons,
on **_____. (DATE MUST BE INDICATED) **
at the following address:

Guglielmo & Associates, P.O. Box 41688, Tucson AZ 85717-1688

11. Garnishee's name, address and phone number is:

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

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

STATE OF ARIZONA)
) ss
COUNTY OF)

Signature of Garnishee or Authorized Agent

** SUBSCRIBED AND SWORN ON _____.

Notary Public

My Commission Expires:

Christopher N. Kalabus STATE BAR #019839/PCC#65436

Paul D. Guglielmo STATE BAR #005585/PCC# 22308

David J. Mittleman STATE BAR #028527/PCC#

66375 *****REMINDER*****

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Guglielmo & Associates
P.O. Box 41688
Tucson, AZ 85717
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San Tan Precinct Justice Court
201 E. Chicago St., Ste. 102, Chandler AZ 85225-8531
County of Maricopa, State of Arizona

Plaintiff Portfolio Recovery Associates, LLC	NO. CC2013084632RC
Defendant Jodi Livermon JODY LYN DOLLANDER / HAYNES Jane/John Doe Livermon (if married)	ANSWER OF GARNISHEE (Earnings - Continuing Lien)

Garnishee HELPING ASSOCIATES INC

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3. Garnishee does _____ does not _____ anticipate owing earnings to the Judgment Debtor with 60 days after the date of service of the Writ.

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5a. _____ 5b. _____

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

Judgment Balance \$ _____



8. Judgment Debtor is _____ is not _____ subject to an existing Wage Assignment, Garnishment of Levy. If yes, give the name, address and telephone number of that Judgment Creditor.

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at the following address:

Guglielmo & Associates, P.O. Box 41688, Tucson AZ 85717-1688

11. Garnishee's name, address and phone number is:

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

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

STATE OF ARIZONA)
) ss
COUNTY OF)

Signature of Garnishee or Authorized Agent

** SUBSCRIBED AND SWORN ON _____ . **

Notary Public

My Commission Expires:

Christopher N. Kalabus STATE BAR #019839/PCC#65436
Paul D. Guglielmo STATE BAR #005585/PCC# 22308
David J. Mittleman STATE BAR #028527/PCC# 66375

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County of Maricopa, State of Arizona

Plaintiff Portfolio Recovery Associates, LLC	NO. CC2013084632RC
Defendant Jodi Livermon JODY LYN DOLLANDER / HAYNES Jane/John Doe Livermon (if married)	ANSWER OF GARNISHEE (Earnings - Continuing Lien)

Garnishee HELPING ASSOCIATES INC

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Guglielmo & Associates, P.O. Box 41688, Tucson AZ 85717-1688

11. Garnishee's name, address and phone number is:

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

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

STATE OF ARIZONA)
) ss
COUNTY OF)

Signature of Garnishee or Authorized Agent

** SUBSCRIBED AND SWORN ON _____ . **

Notary Public

My Commission Expires:

Christopher N. Kalabus STATE BAR #019839/PCC#65436
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Plaintiff Portfolio Recovery Associates, LLC	NO. CC2013084632RC
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5. State the dates of the Judgment Debtor's next 2 paydays occurring after the date of service of the Writ:

5a. _____ 5b. _____

6. Judgment Debtor is _____ is not _____ employed by the Garnishee currently. If yes, Judgment Debtor is paid (check which apply): _____ daily _____ weekly _____ bi-weekly _____ semi-monthly _____ monthly _____ commission/tips

7. What is the amount of the outstanding Judgment now due and owing as stated in the Writ?
Judgment Balance \$ _____



8. Judgment Debtor is _____ is not _____ subject to an existing Wage Assignment, Garnishment of Levy. If yes, give the name, address and telephone number of that Judgment Creditor.

9. If Garnishee answered "Yes" to either question #2 or #3, copies of this Answer and copies of the Notice of Judgment Debtor, Request for Hearing and Non-exempt Earnings Statement were delivered to the Judgment Debtor by

_____ hand delivery;
_____ regular first class mail to the address determined to be best calculated to reach the Judgment Debtor in a timely manner;
_____ service pursuant to the Rules of Civil Procedure applicable to a Summons,
on ** _____. (DATE MUST BE INDICATED) **

10. Copies of this Answer and Non-Exempt Earnings Statement were delivered to the Judgment Creditor by

_____ hand delivery;
_____ regular first class mail;
_____ service pursuant to the Rules of Civil Procedure applicable to a Summons,
on ** _____. (DATE MUST BE INDICATED) **
at the following address:

Guglielmo & Associates, P.O. Box 41688, Tucson AZ 85717-1688

11. Garnishee's name, address and phone number is:

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

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

STATE OF ARIZONA)
) ss
COUNTY OF)

Signature of Garnishee or Authorized Agent

** SUBSCRIBED AND SWORN ON _____ **

Notary Public

My Commission Expires:

Christopher N. Kalabus STATE BAR #019839/PCC#65436
Paul D. Guglielmo STATE BAR #005585/PCC# 22308
David J. Mittleman STATE BAR #028527/PCC# 66375

*****REMINDER*****

ALL QUESTIONS MUST BE ANSWERED.
PLEASE BE SURE TO INDICATE THE DATE OF
DELIVERY FOR QUESTIONS #9 AND #10.
THE ANSWER NEEDS TO BE SIGNED AND
NOTARIZED. FAILURE TO COMPLY WITH THE
GARNISHMENT STATUTES COULD RESULT IN
THE GARNISHEE BEING LIABLE FOR
ATTORNEY FEES INCURRED.

Guglielmo & Associates
P.O. Box 41688
Tucson, AZ 85717
(520) 325-5700

San Tan Precinct Justice Court
201 E. Chicago St., Ste. 102, Chandler AZ 85225-8531
County of Maricopa, State of Arizona

Plaintiff Portfolio Recovery Associates, LLC	NO. CC2013084632RC
Defendant Jodi Livermon JODY LYN DOLLANDER / HAYNES Jane/John Doe Livermon (if married)	ANSWER OF GARNISHEE (Earnings - Continuing Lien)

Garnishee HELPING ASSOCIATES INC

1. I am the above-named Garnishee or am authorized by the Garnishee to make this Affidavit on his behalf, regarding the Writ of Garnishment served on Garnishee on _____.

2. Judgment Debtor was _____ was not _____ employed by the Garnishee on the date the Writ was served.

3. Garnishee does _____ does not _____ anticipate owing earnings to the Judgment Debtor with 60 days after the date of service of the Writ.

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

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

5a. _____ 5b. _____

6. Judgment Debtor is _____ is not _____ employed by the Garnishee currently. If yes, Judgment Debtor is paid (check which apply): _____ daily _____ weekly _____ bi-weekly _____ semi-monthly _____ monthly _____ commission/tips

7. What is the amount of the outstanding Judgment now due and owing as stated in the Writ?
Judgment Balance \$ _____



8. Judgment Debtor is _____ is not _____ subject to an existing Wage Assignment, Garnishment of Levy. If yes, give the name, address and telephone number of that Judgment Creditor.

9. If Garnishee answered "Yes" to either question #2 or #3, copies of this Answer and copies of the Notice of Judgment Debtor, Request for Hearing and Non-exempt Earnings Statement were delivered to the Judgment Debtor by

_____ hand delivery;
_____ regular first class mail to the address determined to be best calculated to reach the Judgment Debtor in a timely manner;
_____ service pursuant to the Rules of Civil Procedure applicable to a Summons,
on **_____. (DATE MUST BE INDICATED) **

10. Copies of this Answer and Non-Exempt Earnings Statement were delivered to the Judgment Creditor by

_____ hand delivery;
_____ regular first class mail;
_____ service pursuant to the Rules of Civil Procedure applicable to a Summons,
on **_____. (DATE MUST BE INDICATED) **
at the following address:

Guglielmo & Associates, P.O. Box 41688, Tucson AZ 85717-1688

11. Garnishee's name, address and phone number is:

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

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

STATE OF ARIZONA)
) ss
COUNTY OF)

Signature of Garnishee or Authorized Agent

** SUBSCRIBED AND SWORN ON _____ . **

Notary Public

My Commission Expires:

Christopher N. Kalabus STATE BAR #019839/PCC#65436
Paul D. Guglielmo STATE BAR #005585/PCC# 22308
David J. Mittleman STATE BAR #028527/PCC# 66375

Guglielmo & Associates
P.O. Box 41688
Tucson, AZ 85717
(520) 325-5700

San Tan Precinct Justice Court
201 E. Chicago St., Ste. 102, Chandler AZ 85225-8531
County of Maricopa, State of Arizona

Plaintiff Portfolio Recovery Associates, LLC	NO. CC2013084632RC
Defendant Jodi Livermon JODY LYN DOLLANDER / HAYNES Jane/John Doe Livermon (if married)	REQUEST FOR HEARING ON GARNISHMENT OF EARNINGS

Garnishee HELPING ASSOCIATES INC

I REQUEST A HEARING BECAUSE:

_____ 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 already subject to a Writ of Garnishment or court-ordered Assignment for Payment of Support.
_____ Other

DATED _____

Signature of Judgment Debtor: _____
Printed Name, Address, _____
Phone of Judgment Debtor: _____

Notice of Hearing

Hearing is set for _____ on _____ at the court
above.
(time) (date)

Date: _____ Clerk/Commissioner: _____

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

Christopher N. Kalabus STATE BAR #019839/PCC#65436
Paul D. Guglielmo STATE BAR #005585/PCC# 22308
David J. Mittleman STATE BAR #028527/PCC# 66375



Guglielmo & Associates
P.O. Box 41688
Tucson, AZ 85717
(520) 325-5700

San Tan Precinct Justice Court
201 E. Chicago St., Ste. 102, Chandler AZ 85225-8531
County of Maricopa, State of Arizona

Plaintiff Portfolio Recovery Associates, LLC	NO. CC2013084632RC
Defendant Jodi Livermon JODY LYN DOLLANDER / HAYNES Jane/John Doe Livermon (if married)	REQUEST FOR HEARING ON GARNISHMENT OF EARNINGS

Garnishee HELPING ASSOCIATES INC

I REQUEST A HEARING BECAUSE:

- _____ 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 already subject to a Writ of Garnishment or court-ordered Assignment for Payment of Support.
- _____ Other

DATED _____

Signature of Judgment Debtor: _____
Printed Name, Address,
Phone of Judgment Debtor: _____

Notice of Hearing

Hearing is set for _____ on _____ at the court
above.
(time) (date)

Date: _____ Clerk/Commissioner: _____

WARNING: YOU WAIVE YOUR RIGHT TO A HEARING ON THE MONIES WITHHELD IN THIS
PAY PERIOD UNLESS YOU FILE THIS REQUEST FOR HEARING WITHIN 10 DAYS AFTER
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San Tan Precinct Justice Court
201 E. Chicago St., Ste. 102, Chandler AZ 85225-8531
County of Maricopa, State of Arizona

Plaintiff Portfolio Recovery Associates, LLC	NO. CC2013084632RC
Defendant Jodi Livermon JODY LYN DOLLANDER / HAYNES Jane/John Doe Livermon (if married)	REQUEST FOR HEARING ON GARNISHMENT OF EARNINGS

Garnishee HELPING ASSOCIATES INC

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_____ The Garnishee's Answer is incorrect.
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_____ Other

DATED _____

Signature of Judgment Debtor: _____
Printed Name, Address,
Phone of Judgment Debtor: _____

Notice of Hearing

Hearing is set for _____ on _____ at the court
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(time) (date)

Date: _____ Clerk/Commissioner: _____

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PAY PERIOD UNLESS YOU FILE THIS REQUEST FOR HEARING WITHIN 10 DAYS AFTER
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Christopher N. Kalabus STATE BAR #019839/PCC#65436
Paul D. Guglielmo STATE BAR #005585/PCC# 22308
David J. Mittleman STATE BAR #028527/PCC# 66375



Guglielmo & Associates
P.O. Box 41688
Tucson, AZ 85717
(520) 325-5700

San Tan Precinct Justice Court
201 E. Chicago St., Ste. 102, Chandler AZ 85225-8531
County of Maricopa, State of Arizona

Plaintiff Portfolio Recovery Associates, LLC	NO. CC2013084632RC
Defendant Jodi Livermon JODY LYN DOLLANDER / HAYNES Jane/John Doe Livermon (if married)	REQUEST FOR HEARING ON GARNISHMENT OF EARNINGS

Garnishee HELPING ASSOCIATES INC

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_____ Other

DATED _____

Signature of Judgment Debtor: _____
Printed Name, Address,
Phone of Judgment Debtor: _____

Notice of Hearing

Hearing is set for _____ on _____ at the court
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Christopher N. Kalabus STATE BAR #019839/PCC#65436
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Guglielmo & Associates
P.O. Box 41688
Tucson, AZ 85717
(520) 325-5700

San Tan Precinct Justice Court
201 E. Chicago St., Ste. 102, Chandler AZ 85225-8531
County of Maricopa, State of Arizona

Plaintiff Portfolio Recovery Associates, LLC	NO. CC2013084632RC
Defendant Jodi Livermon JODY LYN DOLLANDER / HAYNES Jane/John Doe Livermon (if married)	NON-EXEMPT EARNING STATEMENT (JUDGMENT NOT FOR SUPPORT)

PAY PERIOD FROM _____ TO _____
(ANSWER ALL PERTINENT QUESTIONS)

1. The Judgment Debtor is an employee or is otherwise owed earnings.
Yes _____ No _____. If the answer is "NO", enter the Judgment Debtor's
last date of employment by your firm or the last date for which
earnings are owed. _____
2. For the earnings of the Judgment Debtor for this pay period enter all
of the following:
 - 2a. Gross Earnings 2a. \$ _____
 - 2b. Disposable Earnings (Gross
Earnings less deductions
required by law) 2b. \$ _____
 - 2c. Enter 25% of line 2b 2c. \$ _____
3. The current federal minimum wage is \$ _____ per
hour. Enter one of the following, using an
appropriate pay period: weekly (30 x minimum
wage), bi-weekly (60 x minimum wage), semi-
monthly (65 x minimum wage), monthly (130 x
minimum wage) 3. \$ _____
4. Subtract line 3 from line 2b and enter 4. \$ _____
5. Enter the amount from line 2c or line 4,
whichever is smaller 5. \$ _____
6. Enter the amount withheld from the Judgment
Debtor's earnings because of a Court
Ordered Assignment for Support of a Person
or a Garnishment or Levy for the Collection
of Taxes 6. \$ _____



NEE

Barcode

NE0000280147

7. Subtract line 6 from line 5 and enter here.
THIS IS THE AMOUNT OF NON-EXEMPT EARNINGS
YOU ARE TO WITHHOLD AND FORWARD TO THE
JUDGMENT CREDITOR WITH THIS STATEMENT

7. \$ _____

DATED _____

Garnishee's Signature

Garnishee's Name, Address, Phone:

CG-11

Guglielmo & Associates
P.O. Box 41688
Tucson, AZ 85717
(520) 325-5700

San Tan Precinct Justice Court
201 E. Chicago St., Ste. 102, Chandler AZ 85225-8531
County of Maricopa, State of Arizona

Plaintiff Portfolio Recovery Associates, LLC	NO. CC2013084632RC
Defendant Jodi Livermon JODY LYN DOLLANDER / HAYNES Jane/John Doe Livermon (if married)	NON-EXEMPT EARNING STATEMENT (JUDGMENT NOT FOR SUPPORT)

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7. \$ _____

DATED _____

Garnishee's Signature

Garnishee's Name, Address, Phone:

CG-11

Guglielmo & Associates
P.O. Box 41688
Tucson, AZ 85717
(520) 325-5700

San Tan Precinct Justice Court
201 E. Chicago St., Ste. 102, Chandler AZ 85225-8531
County of Maricopa, State of Arizona

Plaintiff Portfolio Recovery Associates, LLC	NO. CC2013084632RC
Defendant Jodi Livermon JODY LYN DOLLANDER / HAYNES Jane/John Doe Livermon (if married)	NON-EXEMPT EARNING STATEMENT (JUDGMENT NOT FOR SUPPORT)

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YOU ARE TO WITHHOLD AND FORWARD TO THE
JUDGMENT CREDITOR WITH THIS STATEMENT

7. \$ _____

DATED _____

Garnishee's Signature

Garnishee's Name, Address, Phone:

CG-11

Guglielmo & Associates
P.O. Box 41688
Tucson, AZ 85717
(520) 325-5700

San Tan Precinct Justice Court
201 E. Chicago St., Ste. 102, Chandler AZ 85225-8531
County of Maricopa, State of Arizona

Plaintiff Portfolio Recovery Associates, LLC	NO. CC2013084632RC
Defendant Jodi Livermon JODY LYN DOLLANDER / HAYNES Jane/John Doe Livermon (if married)	NON-EXEMPT EARNING STATEMENT (JUDGMENT NOT FOR SUPPORT)

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7. \$ _____

DATED _____

Garnishee's Signature

Garnishee's Name, Address, Phone:

CG-11

Guglielmo & Associates
P.O. Box 41688
Tucson, AZ 85717
(520) 325-5700

San Tan Precinct Justice Court
201 E. Chicago St., Ste. 102, Chandler AZ 85225-8531
County of Maricopa, State of Arizona

Plaintiff Portfolio Recovery Associates, LLC	NO. CC2013084632RC
Defendant Jodi Livermon JODY LYN DOLLANDER / HAYNES Jane/John Doe Livermon (if married)	REQUEST FOR HEARING

Garnishee HELPING ASSOCIATES INC

If you believe that the amount of your non-exempt 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 10 days after receiving the attached Non-Exempt 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.

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

I request a hearing for the following reason:

_____ The Non-Exempt Earnings Statement is incorrectly filled out.

_____ Other _____

Dated: _____

Signature of Judgment Debtor
Judgment Debtor:

Christopher N. Kalabus STATE BAR #019839/PCC#65436
Paul D. Guglielmo STATE BAR #005585/PCC# 22308
David J. Mittleman STATE BAR #028527/PCC# 66375



Guglielmo & Associates
P.O. Box 41688
Tucson, AZ 85717
(520) 325-5700

San Tan Precinct Justice Court
201 E. Chicago St., Ste. 102, Chandler AZ 85225-8531
County of Maricopa, State of Arizona

Plaintiff Portfolio Recovery Associates, LLC	NO. CC2013084632RC
Defendant Jodi Livermon JODY LYN DOLLANDER / HAYNES Jane/John Doe Livermon (if married)	REQUEST FOR HEARING

Garnishee
HELPING ASSOCIATES INC

If you believe that the amount of your non-exempt 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 10 days after receiving the attached Non-Exempt 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.

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_____ Other _____

Dated: _____

Signature of Judgment Debtor
Judgment Debtor:

Christopher N. Kalabus STATE BAR #019839/PCC#65436
Paul D. Guglielmo STATE BAR #005585/PCC# 22308
David J. Mittleman STATE BAR #028527/PCC# 66375



Barcode

RH0000280147

REF

Christopher N. Kalabus H
Paul D. Guglielmo H
David J. Mittleman H
John A. Daddona H
Zakia Richardson HH
Elizabeth V. Friedenstein HHH
Lynsey A. Williams Esq. HHHH

(520) 325-5700
(520) 325-2480 FAX
(877) 325-5700 TOLL FREE

May 2, 2014

Arizona Corporation Commission
Attn: Corporation Division Records Section
1300 W. Washington St.
Phoenix, AZ 85007

CASE CAPTION: Portfolio Recovery Associates, LLC vs. Jodi Livermon & Jane/John Doe Livermon
(if married)

CASE#: CC2013084632RC

COURT: San Tan Precinct Justice Court

COMPANY NAME: HELPING ASSOCIATES INC

Records Section,

Please provide a **Certified** Certificate of Service for the above referenced case. I have enclosed a check in the amount of \$16.00 to cover the cost of the **Certified Certificate of Service**. Please make sure all case info appears correctly (Case #, Court, County, Case Caption, **and all defendants listed on the case**) on the Certificate of Service, the information is correctly listed above for your reference. Please return in enclosed self-addressed stamped envelope as originals are required to be filed by the court. Please **do not fax** to our office. Thank you.

If you have any questions please contact me at 877-325-5700 Ext 113.

Sincerely,

John Chavez

Legal Assistant
Guglielmo & Associates, PLLC

This office is a debt collector attempting to collect this debt and any information obtained will be used for that purpose.

Revised 05/21/13 AJG

H Admitted to practice Law in Arizona
HH Admitted to practice Law in Utah
HHHH Admitted to practice Law in Nevada
HHH Admitted to practice Law in New Mexico

3040 N Campbell Avenue Suite 100-Tucson, Arizona 85719
PO Box 9420-Salt Lake City, UT 84109
415 South Sixth Street, Suite 304-Las Vegas, Nevada 89101
PO Box 30455-Albuquerque, NM 87190

Christopher N. Kalabus H
Paul D. Guglielmo H
David J. Mittleman H
John A. Daddona H
Zakia Richardson HH
Elizabeth V. Friedenstein HHH
Lynsey A. Williams Esq. HHHH

(520) 325-5700
(520) 325-2480 FAX
(877) 325-5700 TOLL FREE

May 2, 2014

Arizona Corporation Commission
Attn: Corporation Division Records Section
1300 W. Washington St.
Phoenix, AZ 85007

CASE CAPTION: Portfolio Recovery Associates, LLC vs. Jodi Livermon & Jane/John Doe
Livermon (if married)
Case #: CC2013084632RC
COMPANY NAME: HELPING ASSOCIATES INC

Records Section,

Please review the enclosed documents for service through Arizona Corporation Commission pursuant to A.R.S. § 10-3504(b) and A.R.S. § 29-606(b). We have diligently attempted service on an entity and have been unable to complete service due to failure of company to maintain the/ a better address shown on records of the Commission. I have enclosed the following:

- 2 copies of the document or documents being served;
- An Affidavit or Declaration of Attempted Service from a registered process server; and
- A check for \$25.00

If you have any questions please contact me at 877-325-5700 Ext 113.

Sincerely,

John Chavez

Legal Assistant
Guglielmo & Associates, PLLC

This office is a debt collector attempting to collect this debt and any information obtained will be used for that purpose.

Revised 05/21/13 AJG

H Admitted to practice Law in Arizona
HH Admitted to practice Law in Utah
HHHH Admitted to practice Law in Nevada
HHH Admitted to practice Law in New Mexico

3040 N Campbell Avenue Suite 100-Tucson, Arizona 85719
PO Box 9420-Salt Lake City, UT 84109
415 South Sixth Street, Suite 304-Las Vegas, Nevada 89101
PO Box 30455-Albuquerque, NM 87190

CERTIFICATE OF NON-SERVICE

Attorney: GUGLIELMO AND ASSOCIATES (AZ)
PO BOX 41688, TUCSON, AZ 85717
Phone: (877) 325-5700 Email: arizona@jilprocess.com

Case No: CC2013084632RC

Court: SAN TAN PRECINCT JUSTICE COURT, COUNTY OF MARICOPA
201 E. CHICAGO ST., STE. 105, CHANDLER, AZ 85225
Phone: (602)372-3400

Court Date/Time: _____ / _____
Court Room: 20 days

Plaintiff/Petitioner: **Portfolio Recovery Associates, LLC**

VS.

Defendant/Respondent: **Jodi Livermon and Jane/John Doe Livermon (If married)**

The undersigned certifies under penalty of perjury:

I received: **CONTINUING WRIT OF GARNISHMENT AGAINST SALARY OR WAGES** from GUGLIELMO AND ASSOCIATES (AZ) and have been unable to effect service upon


HELPING ASSOCIATES INC C/O JOAN M MCGILLICUDDY

The following attempts at service were made:

Date/Time	Address	Remarks
01/11/2014 at 01:47pm	11780 W AUTUMNWOOD RD CASA GRANDE, AZ 85222	NO ONE HOME
01/24/2014 at 01:47pm	11780 W AUTUMNWOOD RD CASA GRANDE, AZ 85222	NO ONE HOME
02/20/2014 at 04:04pm	11780 W AUTUMNWOOD RD CASA GRANDE, AZ 85222	NO ONE HOME
02/28/2014 at 03:37pm	11780 W AUTUMNWOOD RD CASA GRANDE, AZ 85222	NOT AT WORK TODAY
03/06/2014 at 03:38pm	11780 W AUTUMNWOOD RD CASA GRANDE, AZ 85222	not a work
03/09/2014 at 01:00pm	11780 W AUTUMNWOOD RD CASA GRANDE, AZ 85222	NO ONE HOME

NON-SERVED: UNABLE TO MAKE CONTACT WITH THE DEFENDANT

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

X 
THOMAS RANKIN
Process Server #: PN20130007
PO Box 2989
Florence, AZ, 85132
(520) 705-1039

Service Fee: \$60.00

Atty File#: 280147
Job ID#: 1689212
Invoice#: 1596060



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

User Id: MLEE
Invoice No.: 4478877

Check Batch:
Invoice Date: 05/09/2014
Date Received: 05/09/2014
Customer No.:

ATTN:
(CASH CUSTOMER)

Quantity	Description	Amount
1	SERVICE OF PROCESS -0144920-7 HELPING ASSOCIATES, INC.	\$25.00
Total Documents: \$		25.00
	CHECK 373849	\$25.00
	PAYMENT	
Balance Due: \$		0.00

Corporate Inquiry

9:13 AM

05/09/2014

State of Arizona Public Access System

File Number: -0144920-7

Corp. Name: HELPING ASSOCIATES, INC.

Domestic Address
1901 N TREKELL RD

CASA GRANDE, AZ 85122

Second Address

Agent: JOAN M MCGILLICUDDY
Status: APPOINTED 07/13/1983
Mailing Address:
11780 W AUTUMNWOOD RD

CASA GRANDE, AZ 85122
Agent Last Updated:

Business Type: HEALTH CARE

Domicile: ARIZONA

County: PINAL

Corporation Type: PROFIT

Life Period: PERPETUAL

Incorporation Date: 02/11/1982

Approval Date: 02/18/1982

Last A/R Received: 11 / 2013

Date A/R Entered: 11/13/2013

Next Report Due: 11/11/2014

INVALID KEY FUNCTION. (A058)

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



ARIZONA CORPORATION COMMISSION

AZ Corp. Commission
04682572

JODI JERICH
Executive Director

PATRICIA L. BARFIELD
Director
Corporations Division

Date May 12, 2014

MESSINGER MOUNTAIN MEADOWS MEMORIAL PARK, INC
7601 E INDIAN SCHOOL RD
SCOTTSDALE, AZ 85251

Dear Sir or Madam:

Enclosed is a copy of the following document(s) that were served upon the Arizona Corporation Commission on 05/08/2014 as agent for MESSINGER MOUNTAIN MEADOWS MEMORIAL PARK, INC:

Case caption: CRAIG KJELL, etal v.
Case number: CV2014-004289

MESSINGER PINNACLE PEAK MORTUARY, INC etal,
Court: MARICOPA COUNTY SUPERIOR COURT

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

Sincerely,

Lynda B. Griffin
Custodian of Records

Initials ML
File number -0890826-6

COMMISSIONERS
BOB STUMP - Chairman
GARY PIERCE
BRENDA BURNS
BOB BURNS
SUSAN BITTERSMTIH



ARIZONA CORPORATION COMMISSION

JODI JERICH
Executive Director
PATRICIA L. BARFIELD
Director, Corporations Division

CERTIFICATE OF MAILING

Date: **May 12, 2014**

I, **Mary Lee** am an employee of the Arizona Corporation Commission ("ACC"). I hereby certify that on the **8TH** day of **MAY, 2014**, I received on behalf of the ACC service of the following documents upon the ACC as agent for **MESSINGER MOUNTAIN MEADOWS MEMORIAL PARK, INC.**

Case caption: **CRAIG KJELL, etal**

Case number: **CV2014-004289**

Court:

v. MESSINGER PINNACLE PEAK MORTUARY, INC etal,

MARICOPA COUNTY SUPERIOR COURT

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

I hereby certify that on the **12TH** day of **MAY, 2014**, I placed a copy of the above listed documents in the United States Mail, postage prepaid, addressed to

MESSINGER MOUNTAIN MEADOWS MEMORIAL PARK, INC

at its last known place of business as follows:

**7601 E INDIAN SCHOOL RD
SCOTTSDALE, AZ 85251**

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: **May 12, 2014**

(signature) _____

Jeffrey L. Smith/Bar No. 023470
Anoop Bhatheja/Bar No. 022357
SANDERS & PARKS, P.C.
3030 North Third Street, Suite 1300
Phoenix, AZ 85012-3099

Firm E-mail: Minutes@SandersParks.com

Jeffrey L. Smith
Direct Phone: (602) 532-5686
Direct Fax: (602) 230-5032
E-mail: Jeffrey.Smith@SandersParks.com

Anoop Bhatheja
Direct Phone: (602) 532-5664
Direct Fax: (602) 230-5064
E-mail: Anoop.Bhatheja@SandersParks.com

*Attorneys for Plaintiffs Craig Kjell, Brad Kjell,
Leslie Kjell, Brian Kjell, and Michael Kjell*

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA

IN AND FOR THE COUNTY OF MARICOPA

CRAIG KJELL, BRAD KJELL, LESLIE KJELL,
BRIAN KJELL, MICHAEL KJELL, individuals,

Plaintiffs,

v.

MESSINGER PINNACLE PEAK MORTUARY,
INC., an Arizona corporation; MESSINGER
PAYSON FUNERAL HOME, INC., an Arizona
corporation; MESSINGER MOUNTAIN
MEADOWS MEMORIAL PARK, INC., an
Arizona corporation; MESSINGER
MORTUARY FAMILY, L.L.C., an Arizona
limited liability company; MESSINGER
MORTUARY & CHAPEL, INC., an Arizona
corporation; MESSINGER FOUNTAIN HILLS
MORTUARY, INC., an Arizona corporation;
MESSINGER FAMILY LIMITED
PARTNERSHIP, an Arizona limited partnership;
PARADISE MEMORIAL CREMATORY, INC.,
an Arizona corporation; PARADISE
MEMORIAL GARDENS, INC., an Arizona

Case No.: CV2014-004289

AMENDED SUMMONS

If you would like legal advice from a lawyer,
contact the Lawyer Referral Service at
602-257-4434

or

www.maricopalawyers.org

Sponsored by the
Maricopa County Bar Association

1 corporation; and BLACK CORPORATIONS, I-
2 X; WHITE PARTNERSHIPS, I-X, JOHN and
3 JANE DOES, I-X,

4 Defendants.

5 **THE STATE OF ARIZONA TO THE DEFENDANT:**

6 Eric W. Messinger
7 4017 North Miller Road
8 Scottsdale, Arizona 85251

9 **Statutory Agent for:**
10 Messinger Payson Funeral Home, Inc.
11 Messinger Mountain Meadows Memorial Park, Inc.
12 Paradise Memorial Crematory, Inc.

13 **YOU ARE HEREBY SUMMONED** and required to appear and defend, within the time
14 applicable, in this action in this Court. If served within Arizona, you shall appear and defend
15 within twenty (20) days after the service of the Summons and Complaint upon you, exclusive of
16 the day of service. If served out of the State of Arizona, whether by direct service, by registered
17 or certified mail, or by publication, you shall appear and defend within thirty (30) days after the
18 service of the Summons and Complaint upon you is complete, exclusive of the day of service.
19 Where process is served upon the Arizona Director of Insurance as an insurer's attorney to
20 receive service of legal process against it in this state, the insurer shall not be required to appear,
answer or plead until expiration of forty (40) days after date of such service upon the Director.
Service by registered or certified mail without the State of Arizona is complete thirty (30) days
after the date of filing the Receipt and Affidavit of Service with the Court. Service by
Publication is complete thirty (30) days after the date of first publication. Direct Service is
complete when made. Service upon the Arizona Motor Vehicle Superintendent is complete
thirty (30) days after filing the Affidavit of Compliance and return receipt or Officer's Return.
Ariz.R.Civ.P. 4; A.R.S. §§ 20-222, 28-502, 28-503.

21 **YOU ARE HEREBY NOTIFIED** that, in case of your failure to appear and defend
22 within the time applicable, judgment, by default, may be rendered against you for the relief
23 demanded in the Complaint.

24 **YOU ARE CAUTIONED** that, in order to appear and defend, you must file an Answer
25 or proper response in writing with the Clerk of this Court, accompanied by the necessary filing
26 fee, within the time required, and you are required to serve a copy of any Answer or response
upon the Plaintiff's attorney. Ariz.R.Civ.P.10(d); A.R.S. § 12-311; Ariz.R.Civ.P.5.

1 The name and address of plaintiffs' attorney is:

2 Jeffrey L. Smith
3 Anoop Bhatheja
4 SANDERS & PARKS, P.C.
5 3030 North Third Street, Suite 1300
6 Phoenix, Arizona 85012-3099
7 (602) 532-5664

8 **ADA NOTIFICATION**

9 (1) Requests for reasonable accommodation for persons with disabilities must be
10 made to the division assigned to the case by the party needing accommodation or his/her counsel
11 at least three (3) judicial days in advance of a scheduled proceeding.

12 (2) Requests for an interpreter for persons with limited English proficiency must be
13 made to the division assigned to the case by the party needing the interpreter and/or translator or
14 his/her counsel at least ten (10) judicial days in advance of a scheduled court proceeding.

15 SIGNED AND SEALED this date: _____

16 Clerk _____

17 By _____

18 Deputy Clerk _____



19 MAY 01 2014
20 MICHAEL K. JONES, CLERK
21 S. SMITH
22 DEPUTY CLERK

COPY

JAN 24 2014



**MICHAEL K. JEANES, CLERK
D. CADY
DEPUTY CLERK**

Jeffrey L. Smith/Bar No. 023470
Anoop Bhatheja/Bar No. 022357
SANDERS & PARKS, P.C.
3030 North Third Street, Suite 1300
Phoenix, AZ 85012-3099

Firm E-mail: Minutes@SandersParks.com

Jeffrey L. Smith
Direct Phone: (602) 532-5686
Direct Fax: (602) 230-5032
E-mail: Jeffrey.Smith@SandersParks.com

Anoop Bhatheja
Direct Phone: (602) 532-5664
Direct Fax: (602) 230-5064
E-mail: Anoop.Bhatheja@SandersParks.com

*Attorneys for Plaintiffs Craig Kjell, Brad Kjell,
Leslie Kjell, Brian Kjell, and Michael Kjell*

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA

IN AND FOR THE COUNTY OF MARICOPA

**CRAIG KJELL, BRAD KJELL, LESLIE KJELL,
BRIAN KJELL, MICHAEL KJELL, individuals,**

Plaintiffs,

v.

**MESSINGER PINNACLE PEAK MORTUARY,
INC., an Arizona corporation; MESSINGER
PAYSON FUNERAL HOME, INC., an Arizona
corporation; MESSINGER MOUNTAIN
MEADOWS MEMORIAL PARK, INC., an
Arizona corporation; MESSINGER
MORTUARY FAMILY, L.L.C., an Arizona
limited liability company; MESSINGER
MORTUARY & CHAPEL, INC., an Arizona
corporation; MESSINGER FOUNTAIN HILLS
MORTUARY, INC., an Arizona corporation;
MESSINGER FAMILY LIMITED
PARTNERSHIP, an Arizona limited partnership;
PARADISE MEMORIAL CREMATORY, INC.,
an Arizona corporation; PARADISE
MEMORIAL GARDENS, INC., an Arizona**

Case No.: CV 2014-004289

PLAINTIFFS' COMPLAINT

(Negligence)

1 corporation; and BLACK CORPORATIONS, I-
2 X; WHITE PARTNERSHIPS, I-X, JOHN and
3 JANE DOES, I-X,

Defendants.

4 Plaintiffs Craig Kjell, Brad Kjell, Leslie Kjell, Brian Kjell, and Michael Kjell
5 ("Plaintiffs" or "Kjell"), by and through undersigned counsel, as and for their Complaint against
6 Defendants Messinger Pinnacle Peak Mortuary, Inc.; Messinger Payson Funeral Home, Inc.;
7 Messinger Mountain Meadows Memorial Park, Inc.; Messinger Mortuary Family, L.L.C.;
8 Messinger Mortuary & Chapel, Inc.; Messinger Fountain Hills Mortuary, Inc.; Messinger
9 Family Limited Partnership; Paradise Memorial Crematory, Inc.; and Paradise Memorial
10 Gardens, Inc. ("Defendants" or "Messinger") state and allege as follows:

11 **GENERAL ALLEGATIONS**

12 1. This is a case that arises out of Defendants' negligent handling of human remains,
13 following the death of Plaintiffs' mother.

14 2. Plaintiff Craig Kjell is a resident of Maricopa County, Arizona.

15 3. Plaintiff Leslie Kjell is a resident of Maricopa County, Arizona.

16 4. Plaintiff Brad Kjell is a resident of the State of Wisconsin.

17 5. Plaintiff Michael Kjell is a resident of the State of Wisconsin.

18 6. Plaintiff Brian Kjell is a resident of the State of Wisconsin.

19 7. Defendants Messinger Pinnacle Peak Mortuary, Inc.; Messinger Payson Funeral
20 Home, Inc.; Messinger Mountain Meadows Memorial Park, Inc.; Messinger Mortuary &
21 Chapel, Inc.; Messinger Fountain Hills Mortuary, Inc.; Paradise Memorial Crematory, Inc.; and
22 Paradise Memorial Gardens, Inc. are, upon information and belief, Arizona corporations doing
23 business throughout Arizona with their domestic addresses located in Scottsdale, Maricopa
24 County, Arizona.

1 8. Defendant Messinger Mortuary Family, L.L.C., upon information and belief, is an
2 Arizona limited liability company doing business throughout Arizona and with a domestic
3 address is located in Scottsdale, Maricopa County, Arizona

4 9. Defendant Messinger Family Limited Partnership, upon information and belief, is
5 an Arizona limited partnership doing business throughout Arizona and with a domestic address
6 located in Scottsdale, Maricopa County, Arizona.

7 10. The true names, capacities, and/or relationships, whether individual, corporate,
8 partnership, or otherwise of Black Corporations, I-X; White Partnerships, I-X, John and Jane
9 Does, I-X, inclusive and each of them, are and were unknown to Plaintiffs at the time of filing
10 this Complaint. Plaintiffs sue said and aforementioned Defendants, and each of them, by said
11 fictitious names and will ask leave of the Court to amend this Complaint to show the true names,
12 capacities, and/or relationships when the same has been ascertained and, therefore, allege that all
13 fictitiously named Defendants were either joint tortfeasors and/or jointly and/or severally legally
14 responsible in some manner for the events, occurrences and damages more fully described
15 herein.

16 11. The acts and events out of which this cause of action arises occurred in Maricopa
17 County, Arizona. This court has jurisdiction over this matter. Venue is proper before this court
18 pursuant to A.R.S. § 12-401.

19 12. Plaintiffs are five brothers who are the adult children of Hilda Kjell (deceased).

20 13. Hilda Kjell ("Hilda") died on or about January 26, 2013. She died after a long
21 battle with Alzheimer's disease and other long-term, terminal health conditions.

22 14. Following Hilda's death, the Plaintiffs searched for a reputable funeral home that
23 would properly cremate their mother's body and return her ashes to Plaintiffs.

24 15. Defendants have marketed themselves as a well trusted network of funeral homes
25 that handle human remains with dignity and respect.

1 16. Messinger boasts on its website that it prides itself on "providing extra services
2 and support, and doing whatever we can to make a painful time more bearable."

3 17. Messinger also claims that it is "one of the most respected funeral homes in
4 Arizona."

5 18. Based on Defendants' own representations relating to their reputation and
6 expertise in handling a family's grieving after a death, Plaintiffs agreed to use Defendants'
7 services for cremation of Hilda.

8 19. After Hilda's death, Plaintiffs had her body delivered to Defendant's facility
9 located in Payson, Arizona. Plaintiffs instructed Defendants to cremate Hilda's remains and to
10 return Hilda's ashes to Plaintiffs. On or about January 30, 2013, Plaintiffs' mother, Hilda Kjell,
11 was cremated by Mountain Meadows Crematory.

12 20. Defendants pre-arranged to pick up Hilda's remains on or about February 2, 2013.

13 21. Plaintiffs planned to pay their final respects to their mother by spreading her ashes
14 in multiple locations across the United States. All of the locations that Plaintiffs were to visit
15 with Hilda's ashes were of special emotional significance to Hilda and her sons during Hilda's
16 life.

17 22. Accordingly, several months after Hilda's death, all five Plaintiffs departed for a
18 multi-city trip to spread Hilda's ashes in emotionally significant places. Plaintiffs believed that
19 this trip would act as a final act of respect for their mother and closure for their family.

20 23. Plaintiffs spent considerable time and expenses organizing their trip which lasted
21 approximately ten (10) days.

22 24. During their cross-country journey, Plaintiffs used the opportunity to reminisce
23 about their mother, shared stories from their childhood, and even addressed their mother by
24 name while talking with what they believed were her ashes.

25 25. Plaintiffs later discovered that the ashes delivered to them by Defendants were not
26 actually those of their mother.

26. When reviewing various documents related to their mother's death and cremation, Plaintiffs discovered that they had been delivered the remains of another woman named Helen Liddell, not Hilda Kjell.

COUNT I

(Negligence)

27. Plaintiffs hereby incorporate by reference all allegations included in paragraphs 1 through 26 above.

28. Defendants owed a duty of care to Plaintiffs to properly handle the remains and body of Hilda Kjell after her death and deliver her ashes to Plaintiffs after Hilda's cremation.

29. Defendants breached their duty of care owed to Plaintiffs by mishandling the remains of Hilda Kjell and by delivering the ashes of Helen Liddell to Plaintiffs rather than the ashes of Hilda Kjell.

30. As a result of Defendants' breach, Plaintiffs have damages, including but not limited to emotional distress, and other damages in an amount to be proven at trial.

WHEREFORE, Plaintiffs pray for judgment against Defendants as follows:

- A. A judgment be entered in their favor and against Defendants in an amount to be determined at trial;
- B. That they be awarded their costs incurred in filing this matter;
- C. For such other and further relief as the Court deems just and appropriate.

RESPECTFULLY SUBMITTED this 24th day of January, 2014.


SANDERS & PARKS, P.C.

By

Jeffrey L. Smith
Anoop Bhatheja
3030 North Third Street, Suite 1300
Phoenix, Arizona 85012-3099
*Attorneys for Plaintiffs Craig Kjell, Brad Kjell,
Leslie Kjell, Brian Kjell, and Michael Kjell*

1 Original of the foregoing filed via hand-delivery
2 on this 24th day of January, 2014 with:

3 Clerk of the Court
4 Maricopa County Superior Court
5 201 West Jefferson Street
6 Phoenix, Arizona 85003-2243

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21
22
23
24
25
26
By 

1 Jeffrey L. Smith/Bar No. 023470
2 Anoop Bhatheja/Bar No. 022357
3 **SANDERS & PARKS, P.C.**
3030 North Third Street, Suite 1300
Phoenix, AZ 85012-3099

4 Firm E-mail: Minutes@SandersParks.com

5 Jeffrey L. Smith
6 Direct Phone: (602) 532-5686
Direct Fax: (602) 230-5032
E-mail: Jeffrey.Smith@SandersParks.com

7 Anoop Bhatheja
8 Direct Phone: (602) 532-5664
Direct Fax: (602) 230-5064
9 E-mail: Anoop.Bhatheja@SandersParks.com

10 *Attorneys for Plaintiffs Craig Kjell, Brad Kjell,*
11 *Leslie Kjell, Brian Kjell, and Michael Kjell*

12 **IN THE SUPERIOR COURT OF THE STATE OF ARIZONA**
13 **IN AND FOR THE COUNTY OF MARICOPA**

14 **CRAIG KJELL, BRAD KJELL, LESLIE KJELL,**
BRIAN KJELL, MICHAEL KJELL, individuals,

15 **Plaintiffs,**

16 **v.**

17 **MESSINGER PINNACLE PEAK MORTUARY,**
18 **INC., an Arizona corporation; MESSINGER**
19 **PAYSON FUNERAL HOME, INC., an Arizona**
20 **corporation; MESSINGER MOUNTAIN**
21 **MEADOWS MEMORIAL PARK, INC., an**
22 **Arizona corporation; MESSINGER**
23 **MORTUARY FAMILY, L.L.C., an Arizona**
24 **limited liability company; MESSINGER**
25 **MORTUARY & CHAPEL, INC., an Arizona**
26 **corporation; MESSINGER FOUNTAIN HILLS**
MORTUARY, INC., an Arizona corporation;
MESSINGER FAMILY LIMITED
PARTNERSHIP, an Arizona limited partnership;
PARADISE MEMORIAL CREMATORY, INC.,
an Arizona corporation; PARADISE
MEMORIAL GARDENS, INC., an Arizona

COPY

JAN 24 2014

MICHAEL K. JEANES, CLERK
D. CADY
DEPUTY CLERK



Case No.:

CV2014-004289

**CERTIFICATE REGARDING
COMPULSORY ARBITRATION**

1 corporation; and BLACK CORPORATIONS, I-
2 X; WHITE PARTNERSHIPS, I-X, JOHN and
3 JANE DOES, I-X,

4 Defendants.

5 Plaintiffs Craig Kjell, Brad Kjell, Leslie Kjell, Brian Kjell, Michael Kjell ("Plaintiffs"),
6 by and through their undersigned counsel, hereby certify that the largest award sought by the
7 Plaintiffs, including punitive damages, but excluding interest, attorney's fees, and costs DOES
8 exceed the compulsory arbitration limits set forth by the Local Rules of the Superior Court of
9 Maricopa County. The undersigned further certifies that this case IS NOT subject to
10 compulsory arbitration, as provided by Rules 72 through 76 of the *Arizona Rules of Civil
11 Procedure*.

12 RESPECTFULLY SUBMITTED this 24th day of January, 2014.

13 SANDERS & PARKS, P.C.

14
15 By 

16 Jeffrey L. Smith
17 Anoop Bhatheja
18 3030 North Third Street, Suite 1300
Phoenix, Arizona 85012-3099
*Attorneys for Plaintiffs Craig Kjell, Brad Kjell,
Leslie Kjell, Brian Kjell, and Michael Kjell*

19 Original of the foregoing filed via hand-delivery
20 on this 24th day of January, 2014 with:

21 Clerk of the Court
22 Maricopa County Superior Court
201 West Jefferson Street
Phoenix, Arizona 85003-2243

23 By 
24
25
26

DL Investigations & Attorney Support LLC
1717 E. Morten Ave., Ste. 100
Phoenix, AZ 85020
(602) 285-9901

Inv. #

98961

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA
IN AND FOR THE COUNTY OF MARICOPA

CRAIG KJELL; et al.

Plaintiff / Petitioner,

vs.

MESSINGER PINNACLE PEAK MORTUARY, INC.; et al.

Defendant / Respondent.

NO. CV2014-004289

CERTIFICATE OF NON-SERVICE OF
PROCESS BY A PRIVATE PERSON

Kenneth F. Scheiner

, the undersigned certifies under penalty of perjury: That I am fully qualified pursuant to RCP 4 (d), 4 (e), 45 (b) and/or ARS 13-4072, to serve process in this case, and received for service the following documents in this action:

AMENDED SUMMONS, COMPLAINT, CERTIFICATE OF ARBITRATION

from Anoop Bhatheja c/o SANDERS & PARKS, P.C. on 5/2/14;

Affiant states that I made due and diligent search within Maricopa County, Arizona, by performing each of the acts set forth below, indicated by 'X' and that s/he has been unable to locate the defendant(s) named below within Maricopa County, Arizona:

NAMED DEFENDANTS: MESSINGER MOUNTAIN MEADOWS MEMORIAL PARK, INC., c/o Eric W. Messinger-Stat. Agent

- ☐ Searched local telephone directories and Information Service
☐ Inquired of the U.S. Post Office concerning forwarding address
☐ Inquired of last known residence of defendants
☐ Inquired of neighbors at last known residence
☒ Other:

5/5/14@8:00am 4017 N. Miller Road, Scottsdale, 85251 This address is a vacant commercial lot/parking lot. There is a Catholic Church nearby. I called the client and updated the status. Per client, check the Church. 5/5/14@4:30pm 3801 N. Miller Road, Scottsdale, 85251 Eric W. Messinger is not located at this address. I called the client and updated the status. Per client, serve the Arizona Corporation Commission.

Statement of Costs

Services

Mileage

Sp. Handl.

Witness

Advances

Cert. Prep \$10.00

Other

Total \$10.00


Affiant - Registered in
Maricopa County

The above is covered by A.R.S. as amended 41-314 & 11-45 and Rules 4, 5 and 45.

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

User Id: MLEE
Invoice No.: 4478500

Check Batch:
Invoice Date: 05/08/2014
Date Received: 05/08/2014
Customer No.:

ATTN:
(CASH CUSTOMER)

Quantity	Description	Amount
1	SERVICE OF PROCESS	
	-0890826-6 MESSINGER MOUNTAIN MEADOWS MEMORIAL PARK	\$25.00
Total Documents: \$		25.00
	CHECK 1487	\$25.00
	PAYMENT	
Balance Due: \$		0.00

Corporate Inquiry

05/08/2014

State of Arizona Public Access System

3:57 PM

File Number: -0890826-6

Corp. Name: MESSINGER MOUNTAIN MEADOWS MEMORIAL PARK, INC.

Domestic Address

7601 E INDIAN SCHOOL RD

SCOTTSDALE, AZ 85251

Second Address

Agent: ERIC W MESSINGER

Status: APPOINTED 10/13/1999

Mailing Address:

4017 N. MILLER ROAD

SCOTTSDALE, AZ 85251

Agent Last Updated:

Domicile: ARIZONA

County: MARICOPA

Corporation Type: BUSINESS

Life Period: PERPETUAL

Incorporation Date: 10/13/1999

Approval Date: 10/13/1999

Last A/R Received: 10 / 2013

Date A/R Entered: 10/31/2013

Next Report Due: 10/13/2014

Business Type: CEMETERY AND CREMATORY FOR HUMAN REMAINS

FIRST RECORD IN MICROFILM FILE FOR THIS CORPORATION. (A204)


J. ROBERTS

