

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



ARIZONA CORPORATION COMMISSION



04682652
JODI JERICH
Executive Director

PATRICIA L. BARFIELD
Director
Corporations Division

Date May 2, 2014

EXP. REALTY, LLC
1325 LINCOLN STREET #1
BELLINGHAM, WA. 98229

Dear Sir or Madam:

Enclosed is a copy of the following document(s) that were served upon the Arizona Corporation Commission on 04/30/2014 as agent for EXP. REALTY, LLC:

Case caption: CACH, LLC v. BRYAN C. CHOATE AND JANE DOE CHOATE, et.al,
Case number: CC2013203278RC Court: MARICOPA COUNTY, MCDOWELL MOUNTAIN PRECINCT

- ☒ 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 LBG
File number R-1559521-8

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 2, 2014**

I, **LYNDA GRIFFIN** am an employee of the Arizona Corporation Commission ("ACC"). I hereby certify that on the **30th** day of **APRIL, 2014**, I received on behalf of the ACC service of the following documents upon the ACC as agent for **EXP. REALTY, LLC**.

Case caption: **CACH, LLC v. BRYAN C. CHOATE AND JANE DOE CHOATE, et.al,**
Case number: **CC2013203278RC**
Court: **MARICOPA COUNTY, MCDOWELL MOUNTAIN PRECINCT**

- | | |
|--|---|
| <input checked="" type="checkbox"/> Summons | <input type="checkbox"/> Default Judgment |
| <input checked="" type="checkbox"/> Complaint | <input checked="" 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 checked="" type="checkbox"/> Other | |

I hereby certify that on the **2ND** day of **MAY, 2014**, I placed a copy of the above listed documents in the United States Mail, postage prepaid, addressed to

EXP. REALTY, LLC

at its last known place of business as follows:

1325 LINCOLN STREET #1
BELLINGHAM, WA.
98229

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 2, 2014**

(signature) _____

NEUHEISEL LAW FIRM, P.C.

KATHRYN A. NEUHEISEL*
DEBORAH S. HARVEGO*
GLORIA ZARCO**
JONATHAN AYERS**
BETH BRUNO***
KERRY OSBORNE***
*Admitted in Arizona and California
**Admitted in California
***Admitted in Arizona

ARIZONA OFFICE
1501 WEST FOUNTAINHEAD PARKWAY
SUITE 130
TEMPE, ARIZONA 85282-1918
TELEPHONE: (480) 557-6360
TOLL FREE: (800) 366-3510
FAX: (480) 557-6366
All calls are recorded for quality assurance

CALIFORNIA OFFICE
2277 FAIR OAKS BOULEVARD
SUITE 305A
SACRAMENTO, CALIFORNIA 95825
TELEPHONE: (916) 486-4141
TOLL FREE: (866) 522-8868
FAX: (916) 486-4142

April 25, 2014

EXP Realty, LLC.
c/o Arizona Corporation Commission
1300 W. Washington Street
Phoenix, AZ 85007

Re: *CACH, LLC v. Choate; Case No.: CC2013203278RC*

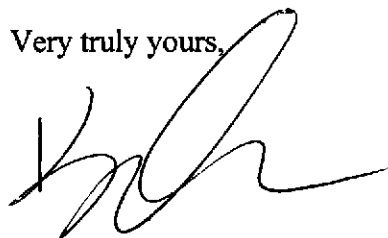
To Whom It May Concern:

Enclosed is a Writ of Garnishment regarding Bryan C. Choate, social security number [REDACTED]. Also enclosed are the appropriate documents that accompany the Writ. Please review your employee records and proceed according to the instructions set forth in the Writ.

If you have any questions, please give me a call. Our toll free number is 1-800-366-3510.

Thank you for your anticipated cooperation.

Very truly yours,



Neuheisel Law Firm, P.C.

NLF/fb
enclosures

1 **NEUHEISEL LAW FIRM P.C.**

2 Kathryn A. Neuheisel 013625

3 Beth Bruno 030047

4 Kerry Osborne 030036

5 1501 West Fountainhead Parkway, Suite 130

6 Tempe, Arizona 85282

7 Tel (480) 557-6360

8 Toll Free (800) 366-3510

9 Fax (480) 557-6366

10 Email Attorneys@neuheisel.com

11 Attorneys for Plaintiff/Judgment Creditor

12
13 IN THE JUSTICE COURT OF THE MCDOWELL MOUNTAIN PRECINCT
14 MARICOPA COUNTY, STATE OF ARIZONA
15 18380 North 40th Street, Phoenix, Arizona 85032

16 CACH, LLC, a Limited Liability Company,

17 Plaintiff/Judgment Creditor,

18 vs.

19 BRYAN C. CHOATE and JANE DOE CHOATE,
20 JOHN DOES I-V and JANE DOES I-V,

21 Defendants/Judgment Debtors,

22 EXP REALTY, LLC,

23 Garnishee,

) Case No CC2013203278RC

)
)
) WRIT OF GARNISHMENT
) AND SUMMONS
) (Earnings Continuing Lien)

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

26 JUDGMENT CREDITOR'S CLAIM OF \$2,696.41, together with interest, costs and other
27 relief in this action against the following Judgment Debtor:

28 BRYAN C. CHOATE- SSN: XXX-XX-2132

(Due to privacy reasons we are not listing the entire Social Security number herein. If you have trouble locating the requested information, please contact us at 1-800-366-3510, extension 410, for more details.)

1 THEREFORE, YOU ARE COMMANDED to summon to appear before this Court the
2 Garnishee whose name and address appears below and who is believed to be within your county:

3 EXP REALTY, LLC
4 1325 Lincoln Street, #1
5 Bellingham, Washington 98229

6 The Judgment Creditor states as follows:

7 1. The Judgment Creditor has a Judgment against the above described Judgment
8 Debtor in the amount of \$2,696.41, as of the date of issuance of this Writ of Garnishment.

9 2. The rate of interest on this Judgment is 28.99% on the principal sum of \$1,541.24,
10 and 4.25% on the attorney's fees and Court costs in the sum of \$989.60. Interest as of this date is
11 \$165.57.

12 3. The name and address of the Garnishee is:

13 EXP REALTY, LLC
14 1325 Lincoln Street, #1
15 Bellingham, Washington 98229

16 And the Authorized Agent is as follows:

17 JAMES NUTH III
18 EXP REALTY, LLC.
19 2415 East Camelback Road, #700
20 Phoenix, Arizona 85016

21 4. The last known mailing address of the Judgment Debtor is:

22 10983 East Butherus Drive
23 Scottsdale, Arizona 85255

24 5. The Judgment Creditor's name and address is:

25 CACH, LLC
26 C/O NEUHEISEL LAW FIRM, P.C
27 1501 West Fountainhead Parkway, Suite 130
28 Tempe, Arizona 85282

And its attorney's name and address are:

NEUHEISEL LAW FIRM, P.C
1501 West Fountainhead Parkway, Suite 130
Tempe, Arizona 85282

1 TO THE ABOVE-NAMED GARNISHEE:

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

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

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

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

10 4. The dates of the next two paydays occurring after the date of service of the Writ.

11 5. The pay period of the Judgment Debtor, whether weekly, biweekly, semimonthly,
12 monthly or another specified period.

13 6. The amount of the outstanding Judgment now due and owing as stated in the Writ.

14 7. Whether the Judgment Debtor is subject to an existing wage assignment,
15 garnishment or levy, and if so, the name, address and telephone number of that Judgment Creditor.

16 8. The name, address and telephone number of the Garnishee.

17 9. The date and manner of delivery of a copy of the Answer to the Judgment Debtor
18 and Judgment Creditor.

19 FROM AND AFTER SERVICE OF THE WRIT OF GARNISHMENT, the Garnishee shall
20 not pay to the Judgment Debtor any earnings which are not exempt.

21 IF IT APPEARS FROM THE ANSWER OF THE GARNISHEE that the Garnishee was
22 indebted to the Judgment Debtor for disposable earnings when the Writ was served, the garnishment
23 shall be continuing in nature as a lien against non-exempt earnings, A.R.S. § 12-1598.05.

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

26 1. The garnishment constitutes a lien against non-exempt earnings.

27 2. The garnishment is the equivalent of a Court Ordered assignment, compelling the
28 Garnishee to remit the non-exempt earnings to Plaintiff, as they are earned, A.R.S. § 12-1598.10.

3. The garnishment shall survive until any of the following occurs:

- 1 a. The underlying Judgment is satisfied in full, is vacated or expires:
2
3 b. The Judgment Debtor leaves the Garnishee's employ for more than
sixty (60) days.
4
5 c. The Judgment Creditor releases the garnishment.
6
7 d. The proceedings are stayed by a Court of competent jurisdiction,
including the United States Bankruptcy Court.
8
9 e. The Judgment Debtor has not earned any non-exempt earnings for at
least sixty (60) days.
10
11 f. The Court orders that the garnishment be quashed.

12 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.

13 5. If a Judgment Debtor's earnings become subject to more than one Writ of
14 Garnishment, and because of the application of the priorities, a Judgment Creditor recovers no non-
15 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.

16 SUMMONS

17 In obedience to the attached and foregoing Writ of Garnishment, I DO HEREBY
18 SUMMON AND REQUIRE YOU TO APPEAR and answer the foregoing Writ and in the manner
19 prescribed bylaw within the times prescribed in said Writ. You are hereby notified that in case you
20 fail to so answer, the Court may issue an Order requiring you to appear in person before it to answer
the Writ or to file and serve, at least five (5) days before the appearance date, a copy of the Answer
21 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
22 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(s), and that such
23 Judgment may be so rendered in addition to any other matters which may be adjudged against you
as prescribed by law.

24
25 **Requests for reasonable accommodation for persons with disabilities must be made to**
26 **the division assigned to the case by the parties at least 3 judicial days in advance of a**
scheduled Court proceeding.

27 **APR 01 2014**

28 SIGNED AND SEALED this date: _____

By: _____

JUSTICE OF THE PEACE



1 **NEUHEISEL LAW FIRM P.C.**

2 Kathryn A. Neuheisel 013625

3 Beth Bruno 030047

4 Kerry Osborne 030036

5 1501 West Fountainhead Parkway, Suite 130

6 Tempe, Arizona 85282

7 Tel (480) 557-6360

8 Toll Free (800) 366-3510

9 Fax (480) 557-6366

10 Email Attorneys@neuheisel.com

11 Attorneys for Plaintiff/Judgment Creditor

12 IN THE JUSTICE COURT OF THE MCDOWELL MOUNTAIN PRECINCT

13 MARICOPA COUNTY, STATE OF ARIZONA

14 18380 North 40th Street, Phoenix, Arizona 85032

15 CACH, LLC, a Limited Liability Company,

) Case No CC2013203278RC

16 Plaintiff/Judgment Creditor,

17 vs.

) WRIT OF GARNISHMENT

) AND SUMMONS

) (Earnings Continuing Lien)

18 BRYAN C. CHOATE and JANE DOE CHOATE,

19 JOHN DOES I-V and JANE DOES I-V,

20 Defendants/Judgment Debtors,

21 EXP REALTY, LLC,

22 Garnishee,

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

25 JUDGMENT CREDITOR'S CLAIM OF \$2,696.41, together with interest, costs and other
26 relief in this action against the following Judgment Debtor:

27 BRYAN C. CHOATE- SSN: XXX-XX-2132

28 (Due to privacy reasons we are not listing the entire Social Security number herein. If you have
trouble locating the requested information, please contact us at 1-800-366-3510, extension 410,
for more details.)

1 THEREFORE, YOU ARE COMMANDED to summon to appear before this Court the
2 Garnishee whose name and address appears below and who is believed to be within your county:

3 EXP REALTY, LLC
4 1325 Lincoln Street, #1
 Bellingham, Washington 98229

5 The Judgment Creditor states as follows:

6 1. The Judgment Creditor has a Judgment against the above described Judgment
7 Debtor in the amount of \$2,696.41, as of the date of issuance of this Writ of Garnishment.

8 2. The rate of interest on this Judgment is 28.99% on the principal sum of \$1,541.24,
9 and 4.25% on the attorney's fees and Court costs in the sum of \$989.60. Interest as of this date is
 \$165.57.

10 3. The name and address of the Garnishee is:

11 EXP REALTY, LLC
12 1325 Lincoln Street, #1
13 Bellingham, Washington 98229

14 And the Authorized Agent is as follows:

15 JAMES NUTH III
16 EXP REALTY, LLC.
17 2415 East Camelback Road, #700
 Phoenix, Arizona 85016

18 4. The last known mailing address of the Judgment Debtor is:

19 10983 East Butherus Drive
20 Scottsdale, Arizona 85255

21 5. The Judgment Creditor's name and address is:

22 CACH, LLC
23 C/O NEUHEISEL LAW FIRM, P.C
24 1501 West Fountainhead Parkway, Suite 130
 Tempe, Arizona 85282

25 And its attorney's name and address are:

26 NEUHEISEL LAW FIRM, P.C
27 1501 West Fountainhead Parkway, Suite 130
28 Tempe, Arizona 85282

1 TO THE ABOVE-NAMED GARNISHEE:

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

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

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

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

10 4. The dates of the next two paydays occurring after the date of service of the Writ.

11 5. The pay period of the Judgment Debtor, whether weekly, biweekly, semimonthly,
12 monthly or another specified period.

13 6. The amount of the outstanding Judgment now due and owing as stated in the Writ.

14 7. Whether the Judgment Debtor is subject to an existing wage assignment,
15 garnishment or levy, and if so, the name, address and telephone number of that Judgment Creditor.

16 8. The name, address and telephone number of the Garnishee.

17 9. The date and manner of delivery of a copy of the Answer to the Judgment Debtor
18 and Judgment Creditor.

19 FROM AND AFTER SERVICE OF THE WRIT OF GARNISHMENT, the Garnishee shall
20 not pay to the Judgment Debtor any earnings which are not exempt.

21 IF IT APPEARS FROM THE ANSWER OF THE GARNISHEE that the Garnishee was
22 indebted to the Judgment Debtor for disposable earnings when the Writ was served, the garnishment
23 shall be continuing in nature as a lien against non-exempt earnings, A.R.S. § 12-1598.05.

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

26 1. The garnishment constitutes a lien against non-exempt earnings.

27 2. The garnishment is the equivalent of a Court Ordered assignment, compelling the
28 Garnishee to remit the non-exempt earnings to Plaintiff, as they are earned, A.R.S. § 12-1598.10.

3. The garnishment shall survive until any of the following occurs:

- 1 a. The underlying Judgment is satisfied in full, is vacated or expires:
2
3 b. The Judgment Debtor leaves the Garnishee's employ for more than
4 sixty (60) days.
5 c. The Judgment Creditor releases the garnishment.
6 d. The proceedings are stayed by a Court of competent jurisdiction,
7 including the United States Bankruptcy Court.
8 e. The Judgment Debtor has not earned any non-exempt earnings for at
9 least sixty (60) days.
10 f. The Court orders that the garnishment be quashed.

11 4. Garnishments, levies and wage assignments which are not for the support of a
12 person are inferior to wage assignments for the support of a person. Garnishments which are not for
13 the support of a person and levies are inferior to garnishments for the support of a person.

14 5. If a Judgment Debtor's earnings become subject to more than one Writ of
15 Garnishment, and because of the application of the priorities, a Judgment Creditor recovers no non-
16 exempt earnings for two (2) consecutive paydays, the lien on earnings of such Judgment Creditor is
17 invalid and of no force and effect, and the Garnishee shall notify the Judgment Creditor accordingly.

18 SUMMONS

19 In obedience to the attached and foregoing Writ of Garnishment, I DO HEREBY
20 SUMMON AND REQUIRE YOU TO APPEAR and answer the foregoing Writ and in the manner
21 prescribed bylaw within the times prescribed in said Writ. You are hereby notified that in case you
22 fail to so answer, the Court may issue an Order requiring you to appear in person before it to answer
23 the Writ or to file and serve, at least five (5) days before the appearance date, a copy of the Answer
24 on the party for whom the Writ has been issued, or on his attorney if the party is represented by
25 counsel. If you fail to appear or to file and serve the Answer as specified in the Order, Judgment by
26 default may be rendered against you for the full amount of the relief demanded in the Complaint of
27 the Plaintiff and not merely for the amount you may owe to the Defendant(s), and that such
28 Judgment may be so rendered in addition to any other matters which may be adjudged against you
as prescribed by law.

**Requests for reasonable accommodation for persons with disabilities must be made to
the division assigned to the case by the parties at least 3 judicial days in advance of a
scheduled Court proceeding.**

APR 01 2014

SIGNED AND SEALED this date: _____

By: Michael [Signature]
JUSTICE OF THE PEACE



1 INSTRUCTIONS TO GARNISHEE: EXP REALTY, LLC

2 GARNISHMENT OF EARNINGS

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

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

8 You are the "GARNISHEE".

9 **"JUDGMENT CREDITOR"** means a party who has a money Judgment or an Order for
Support of a person that is due and unpaid.

10 **"EARNINGS"** means compensation paid or payable for personal services, whether these
11 payments are called wages, salary, commissions, bonus or otherwise. Earnings include periodic
12 payments pursuant to a pension or retirement program.

13 **"DISPOSABLE EARNINGS"** means that amount remaining from the gross earnings for
a pay period after the deductions required by State and Federal law.

14 **"EXEMPT EARNINGS"** means those earnings or that portion of earnings which,
15 pursuant to State or Federal law, is not subject to judicial process including garnishment.

16 **"NON-EXEMPT EARNINGS"** means those earnings or that portion of earnings which
is subject to judicial process including garnishment.

17 **"PAYDAY"** means the fixed, regular day for payment of wages designated by an
18 employer.

19 If the Judgment Debtor(s) is employed by you, or you otherwise owe earnings to the
20 Judgment Debtor(s), the Writ and Summons of Garnishment is a lien on the nonexempt
21 earnings of the Judgment Debtor(s) from the date of service of the Writ. **YOU MUST START
22 TO WITHHOLD NONEXEMPT EARNINGS OF THE JUDGMENT DEBTOR(S) EACH
23 PAYDAY AS OF THAT TIME ALTHOUGH YOU ARE NOT LIABLE TO THE
24 JUDGMENT CREDITOR FOR FAILING TO WITHHOLD EARNINGS FROM A
JUDGMENT DEBTOR(S) IF THOSE EARNINGS ARE PAID TO A JUDGMENT
DEBTOR(S) ON A PAYDAY FALLING WITHIN THREE (3) DAYS, NOT INCLUDING
WEEKENDS AND HOLIDAYS, AFTER THE DATE OF THE SERVICE OF THE WRIT
OF GARNISHMENT.**

25 **WITHIN TEN (10) DAYS OF BEING SERVED WITH THE WRIT AND
26 SUMMONS OF GARNISHMENT, YOU MUST FILE AN ANSWER TO THE
27 GARNISHMENT WITH THE CLERK OF THE COURT THAT ISSUED THE
28 GARNISHMENT.** The Answer shall be in writing, signed by you, true and under oath. If there
is more than one Judgment Debtor(s), you must answer as to each Judgment Debtor(s) named in
the Writ of Garnishment. The Answer may be filed without representation by an attorney.

1 **AT THE TIME OF FILING THE ANSWER, YOU MUST HAND-DELIVER, SERVE, OR**
2 **MAIL BY REGULAR FIRST CLASS MAIL A COPY OF THE ANSWER TO THE**
3 **JUDGMENT CREDITOR OR THE JUDGMENT CREDITOR'S ATTORNEY IF THE**
4 **JUDGMENT CREDITOR IS REPRESENTED BY AN ATTORNEY. AT THE SAME**
5 **TIME, YOU MUST HAND-DELIVER, SERVE, OR MAIL BY REGULAR FIRST CLASS**
6 **MAIL TO THE JUDGMENT DEBTOR(S) A COPY OF THE ANSWER AND A COPY**
7 **OF THE NOTICE TO JUDGMENT DEBTOR(S), AND A REQUEST FOR HEARING**
8 **FORM.** You shall state the manner of delivery to the Judgment Creditor and Judgment Debtor(s) in the Answer. The answer shall contain the information which is set forth in the Answer form provided you and you may use that form. The case number and the names of both the Judgment Creditor and Judgment Debtor(s) must be inserted in the appropriate spaces on the Answer. Use the case number and names that appear on the Writ of Garnishment.

9 If it appears from the Answer you file that the Judgment Debtor(s) was employed by you, or that you otherwise owed earnings to the Judgment Debtor(s) when the Writ was served, or earnings would be owed within sixty (60) days thereafter and there is no timely written objection to the Writ or your Answer, on application by the Judgment Creditor, the Court will Order that the non-exempt earnings withheld by you after service of the Writ be transferred to the Judgment Creditor who is entitled to such monies subject to the Judgment Debtor(s)'s right to objection and hearing. The Court will order that the garnishment is a continuing lien against the non-exempt earnings of the Judgment Debtor(s). The Judgment Creditor will deliver a copy of this Order of Continuing Lien to you. When you receive this Order, you are to immediately send all of the earnings withheld since service of the Writ of Garnishment to the Judgment Creditor or the Judgment Creditor's attorney if represented by an attorney. Furthermore, you are to withhold and send to the Judgment Creditor or his attorney the non-exempt earnings of the Judgment Debtor(s) each succeeding payday until the occurrence of any of the following:

- 16 1. The underlying Judgment is satisfied in full or is vacated or expires.
- 17 2. The Judgment Debtor(s) leaves your employ for more than sixty (60) days.
- 18 3. The Judgment Creditor releases the garnishment.
- 19 4. The proceedings are stayed by a Court of competent jurisdiction, including
- 20 the United States Bankruptcy Court.
- 21 5. The Judgment Debtor(s) has not earned any non-exempt earnings for at
- 22 least sixty (60) days.
- 23 6. The Court orders that the Garnishment be quashed.

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

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

1 1. Complete the Non-Exempt Earnings Statement.

2 2. Hand-deliver, serve or mail by regular first class mail the Non-Exempt
3 Earnings Statement to the Judgment Debtor(s) with his exempt earnings for that pay
4 period.

5 3. At the same time hand-deliver, serve or mail by regular first class mail a
6 copy of the Non-Exempt Earnings Statement to the Judgment Creditor or his attorney.

7 **NEITHER THE ORIGINAL NOR A COPY OF THE NON-EXEMPT EARNINGS**
8 **STATEMENT SHALL BE FILED WITH THE COURT UNLESS AN OBJECTION TO**
9 **THE AMOUNT WITHHELD, IF ANY, IS TIMELY FILED BY A PARTY. NOR**
10 **SHOULD YOU SEND ANY WITHHELD EARNINGS TO THE COURT.**

11 The Judgment Creditor must deliver to you sufficient copies of the appropriate Non-
12 Exempt Earnings Statement and Request for Hearing forms so that you are able to comply with
13 these requirements unless the Judgment Creditor is advised that you will supply your own forms.

14 While a continuing lien is in effect you may deduct from the Non-Exempt earnings of the
15 Judgment Debtor(s) the amount of FIVE DOLLARS (\$5.00) each payday as a fee for preparing
16 and delivering the Non-Exempt Earnings Statement.

17 If a party has an objection to the Writ and Summons of Garnishment, your Answer to the
18 Writ and Summons of Garnishment, or a Non-Exempt Earnings Statement, he may file a written
19 objection and Request for Hearing form. A hearing must be requested no later than ten (10) days
20 after receipt of the Answer or Non-Exempt Earnings Statement objected to unless good cause for
21 filing the request is later shown. At the time of filing the Request for Hearing form, the party
22 filing the objection shall mail by regular first class mail or hand-deliver or serve a copy of the form
23 to all parties to the Writ. A hearing will then be held within ten (10) days of the filing of an
24 objection, the Court will enter an Order, and a copy of the Order will be delivered to you.

25 You may conclusively rely on and you are not liable to the Judgment Debtor(s) for acting
26 in reliance on the validity and authenticity of a Garnishment which is regular on its face.
27 **HOWEVER, FOR NONCOMPLIANCE WITH YOUR RESPONSIBILITIES SET**
28 **FORTH IN THESE INSTRUCTIONS, THE GARNISHMENT LAW PROVIDES AS**
29 **FOLLOWS:**

30 **IF YOU FAIL TO ANSWER THE WRIT AND SUMMONS OF GARNISHMENT**
31 **WITHIN TEN (10) DAYS, THE JUDGMENT CREDITOR MAY PETITION THE**
32 **COURT FOR THE ISSUANCE OF AN ORDER REQUIRING YOU TO APPEAR**
33 **BEFORE THE COURT AT A TIME AND PLACE SPECIFIED IN THE ORDER TO**
34 **ANSWER THE WRIT OR TO FILE AND SERVE A COPY OF THE ANSWER ON THE**
35 **JUDGMENT CREDITOR OR ON HIS ATTORNEY AT LEAST FIVE (5) DAYS**
36 **BEFORE THE APPEARANCE DATE.** If you fail to appear or file and serve the Answer after
37 the service of the Order requiring the appearance in person or Answer upon you, the Court may
38 render Judgment by Default against you for the full amount of the Judgment against the Judgment
39 Debtor(s). The Court may award a reasonable attorneys' fee to the Judgment Creditor and against
40 you if the Writ was not answered within ten (10) days of service and a petition requiring you to
41 appear or answer was filed.

1 **FURTHERMORE, A.R.S. § 12-1598.13 PROVIDES FOR CONTEMPT**
2 **PROCEEDINGS AS FOLLOWS:**

3 **A. IF A GARNISHEE FAILS AFTER WRITTEN NOTICE TO DELIVER**
4 **NON-EXEMPT EARNINGS TO THE JUDGMENT CREDITOR WITHIN THIRTY (30)**
5 **DAYS AFTER THE ENDING DATE OF THE PAY PERIOD, OR FAILS AFTER**
6 **WRITTEN NOTICE TO DELIVER THE NON-EXEMPT EARNINGS STATEMENT TO**
7 **THE JUDGMENT DEBTOR(S) WITH THE EXEMPT EARNINGS, THE JUDGMENT**
8 **DEBTOR(S) MAY PETITION THE COURT FOR RELIEF.** The Court shall, after notice,
9 hold a hearing to determine if such failure, if any, was willful or the result of gross negligence. If
10 the Court determines that the failure was willful or the result of gross negligence, the Court shall
11 find the Garnishee in contempt and shall award the Judgment Debtor(s) all of the following:

- 12 1. An amount to compensate for actual losses, if any, caused by the refusal or
13 failure to comply.
- 14 2. Reasonable attorney's fees, if the Judgment Debtor(s) was represented by
15 an attorney at such hearing.
- 16 3. Court costs.

17 The Court may award the Judgment Debtor(s) an additional amount not to exceed FOUR
18 HUNDRED DOLLARS (\$400.00).

19 **B. WHILE AN ORDER OF CONTINUING LIEN PURSUANT TO A.R.S. § 12-**
20 **1598.10 IS IN EFFECT, IF THE GARNISHEE FAILS TO DELIVER TO THE**
21 **JUDGMENT CREDITOR THE NON-EXEMPT EARNINGS OF THE JUDGMENT**
22 **DEBTOR(S), IF ANY, AND THE COPY OF THE NON-EXEMPT EARNINGS**
23 **STATEMENT WITHIN FOURTEEN (14) DAYS OF THE END OF THE PERTINENT**
24 **PAY PERIOD, AND THE JUDGMENT CREDITOR THEREAFTER DELIVERS A**
25 **WRITTEN DEMAND FOR THE NON-EXEMPT EARNINGS AND STATEMENT, AND**
26 **THE GARNISHEE DOES NOT COMPLY WITHIN FOURTEEN (14) DAYS OF THE**
27 **RECEIPT OF THE WRITTEN DEMAND, THE JUDGMENT CREDITOR MAY**
28 **PETITION THE COURT FOR RELIEF.** The Court shall, after notice, hold a hearing to
determine whether the failure to comply with the written demand within fourteen (14) days of
receipt, if any, was willful or the result of gross negligence. If the Court determines that the failure
was willful or the result of gross negligence, the Court shall find the Garnishee in contempt and
shall award the Judgment Creditor all of the following:

1. An amount to compensate for actual losses, if any, caused by refusal or
failure to comply.
2. Reasonable attorney's fees, if the Judgment Creditor was represented by an
attorney at such a hearing.
3. Court costs.

The Court may award the Judgment Creditor an additional amount not to exceed FOUR
HUNDRED (\$400.00).

1 **IN THE EVENT YOU HAVE ALREADY BEEN SERVED, OR ARE HEREAFTER**
2 **SERVED, WITH A GARNISHMENT, WAGE ASSIGNMENT, OR LEVY, A.R.S. § 12-**
3 **1598.14 PROVIDES FOR PRIORITY AS FOLLOWS:**

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

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

9 C. If a Judgment Debtor(s)'s earnings become subject to more than one Writ of
10 Garnishment pursuant to this Article, and because of the application of the priorities set forth in
11 subsections A and B, a Judgment Creditor recovers no non-exempt earnings for two (2)
12 consecutive paydays, the lien on earnings of such Judgment Creditor is invalid and of no force and
13 effect, and the Garnishee shall notify the Judgment Creditor accordingly.
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

1 **NEUHEISEL LAW FIRM P.C.**

2 Kathryn A. Neuheisel 013625

3 Beth Bruno 030047

4 Kerry Osborne 030036

5 1501 West Fountainhead Parkway, Suite 130

6 Tempe, Arizona 85282

7 Tel (480) 557-6360

8 Toll Free (800) 366-3510

9 Fax (480) 557-6366

10 Email Attorneys@neuheisel.com

11
12 IN THE JUSTICE COURT OF THE MCDOWELL MOUNTAIN PRECINCT
13 MARICOPA COUNTY, STATE OF ARIZONA
14 18380 North 40th Street, Phoenix, Arizona 85032

15 CACH, LLC, a Limited Liability Company,) Case No.: CC2013203278RC

16 Plaintiff/Judgment Creditor,)

17 vs.)

18 BRYAN C. CHOATE and JANE DOE CHOATE,) ANSWER OF GARNISHEE
19 JOHN DOES I-V and JANE DOES I-V,) (Earnings – Continuing Lien)

20 Defendants/Judgment Debtors,)

21 EXP REALTY, LLC,)

22 Garnishee,)

23
24 1. I am the above-named Garnishee or am authorized by the Garnishee to make this
25 affidavit on his behalf, regarding the Writ of Garnishment served on Garnishee on this date:

26 2. Was the Judgment Debtor employed by the Garnishee on the date the Writ was
27 served?

28 ☐ Yes

☐ No

If no, termination date:

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

☐ 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 and
3 the reasons for the inability:

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

7 5a. _____ 5b. _____

8
9 6. Is the Judgment Debtor employed by the Garnishee currently? ☐ Yes ☐ No
10 If yes, Judgment Debtor is paid (check which apply): ☐ daily ☐ weekly ☐ bi-weekly
11 ☐ monthly ☐ 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
16 8. Is the Judgment Debtor subject to an existing Wage Assignment, Garnishment or
17 Levy?

18 ☐ Yes ☐ No

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

20
21 9. Did Garnishee answer "YES" to either question #2 or #3?

22 ☐ Yes ☐ No

23
24 If yes, copies of this Answer and copies of the Notice to Judgment Debtor, Request for
25 Hearing and Non-Exempt Earnings Statement were delivered to the Judgment Debtor on
_____ By:

26 ☐ Hand delivery:

27 ☐ Regular first class mail to the address determined to be the best calculated to
28 reach the Judgment Debtor in a timely manner;

☐ Service pursuant to the Rules of Civil Procedure applicable to a Summons.

1
2 10. Copies of this Answer and Non-Exempt Earnings Statement were delivered on:
3 to the Judgment Creditor, or Judgment Creditor's attorney, if applicable, at the
4 following address: By:

5 [] Hand delivery:

6 [] Regular first class mail to the address determined to be the best calculated to
7 reach the Judgment Debtor in a timely manner;

8 [] Service pursuant to the Rules of Civil Procedure applicable to a Summons.

9
10 11. Garnishee's name, mailing address and telephone number is:

11
12 12. I have read the foregoing document and know of my own knowledge that the facts
13 stated therein are true and correct.

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

16 STATE OF _____)
17 County of _____) ss.

18 _____
19 Garnishee or Authorized Agent (PRINT)

20 _____
21 Signature of Garnishee or Authorized Agent

22 SUBSCRIBED AND SWORN this date: _____

23 _____
24 Notary Public

25 My Commission Expires:
26 _____
27
28

1 **NEUHEISEL LAW FIRM P.C.**

2 Kathryn A. Neuheisel 013625

3 Beth Bruno 030047

4 Kerry Osborne 030036

5 1501 West Fountainhead Parkway, Suite 130

6 Tempe, Arizona 85282

7 Tel (480) 557-6360

8 Toll Free (800) 366-3510

9 Fax (480) 557-6366

10 Email Attorneys@neuheisel.com

11
12 IN THE JUSTICE COURT OF THE MCDOWELL MOUNTAIN PRECINCT
13 MARICOPA COUNTY, STATE OF ARIZONA
14 18380 North 40th Street, Phoenix, Arizona 85032

15 CACH, LLC, a Limited Liability Company,) Case No.: CC2013203278RC

16 Plaintiff/Judgment Creditor,)

17 vs.)

18 BRYAN C. CHOATE and JANE DOE CHOATE,) NOTICE TO JUDGMENT DEBTOR
19 JOHN DOES I-V and JANE DOES I-V,) (Earnings)

20 Defendants/Judgment Debtors,)

21 EXP REALTY, LLC,)

22 Garnishee,)

23 This is your second notice that a Writ of Garnishment has been issued in this case. The Writ
24 is a Court Order requiring the Garnishee to withhold a certain amount from your earnings and to
25 continue to withhold a portion of your earnings until the Judgment is satisfied or the Writ is
26 quashed.

27 The law provides that a certain amount of each paycheck or other periodic earnings is
28 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.

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. 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.

1 3. Your earnings are already subject to a Writ of Garnishment or are subject to a Court
2 Ordered Assignment for Payment of Support.

3 4. The Judgment Creditor's debt is subject to an effective agreement for debt
4 scheduling between you and a qualified Consumer Credit Counseling Service.

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

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

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

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

20
21
22
23
24
25
26
27
28

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

1 **NEUHEISEL LAW FIRM P.C.**

2 Kathryn A. Neuheisel 013625

3 Beth Bruno 030047

4 Kerry Osborne 030036

5 1501 West Fountainhead Parkway, Suite 130

6 Tempe, Arizona 85282

7 Tel (480) 557-6360

8 Toll Free (800) 366-3510

9 Fax (480) 557-6366

10 Email Attorneys@neuheisel.com

11
12 IN THE JUSTICE COURT OF THE MCDOWELL MOUNTAIN PRECINCT
13 MARICOPA COUNTY, STATE OF ARIZONA
14 18380 North 40th Street, Phoenix, Arizona 85032
15

16 CACH, LLC, a Limited Liability Company,) Case No.: CC2013203278RC

17 Plaintiff/Judgment Creditor,)

18 vs.)

19 BRYAN C. CHOATE and JANE DOE CHOATE,)
20 JOHN DOES I-V and JANE DOES I-V,)

21 Defendants/Judgment Debtors,)

22 EXP REALTY, LLC,)

23 Garnishee,)
24)

25 I REQUEST A HEARING BECAUSE:

26 [] 1. The Judgment Creditor does not have a valid Judgment against me.

27 [] 2. The Judgment has been paid in full.

28 [] 3. The Garnishee's Answer is incorrect.

29 [] 4. My earnings are already subject to a Writ of Garnishment or Court Ordered
30 Assignment of Payment of Support.

31 [] 5. Other: _____

32 _____
33 Judgment Debtor

34 _____
35 Signature

36 _____
37 Date

38 _____
39 Mailing address

40 _____
41 Telephone Number

42 _____
43 City, State, Zip

NON-EXEMPT EARNINGS STATEMENT
(JUDGMENT NOT FOR SUPPORT)

IN THE MCDOWELL MOUNTAIN JUSTICE COURT; CASE NO. CC2013203278RC

JUDGMENT DEBTOR: BRYAN C. CHOATE

JUDGMENT CREDITOR: CACH, LLC

PAY PERIOD: _____ 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.

1. _____
(Date)

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 twenty-five (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 (thirty times minimum wage), bi-weekly (sixty times minimum wage), semi-monthly (sixty-five times minimum wage), monthly (one hundred thirty times 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. \$ _____

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

7. \$ _____

1 **NEUHEISEL LAW FIRM P.C.**

2 Kathryn A. Neuheisel 013625

3 Beth Bruno 030047

4 Kerry Osborne 030036

5 1501 West Fountainhead Parkway, Suite 130

6 Tempe, Arizona 85282

7 Tel (480) 557-6360

8 Toll Free (800) 366-3510

9 Fax (480) 557-6366

10 Email Attorneys@neuheisel.com

11
12 IN THE JUSTICE COURT OF THE MCDOWELL MOUNTAIN PRECINCT
13 MARICOPA COUNTY, STATE OF ARIZONA
14 18380 North 40th Street, Phoenix, Arizona 85032

15 CACH, LLC, a Limited Liability Company,) Case No.: CC2013203278RC

16 Plaintiff/Judgment Creditor,)

17 vs.)

18 BRYAN C. CHOATE and JANE DOE CHOATE,)

19 JOHN DOES I-V and JANE DOES I-V,)

20 Defendants/Judgment Debtors,)

21 EXP REALTY, LLC,)

22 Garnishee,)

23 REQUEST FOR HEARING ON
24 GARNISHMENT OF EARNINGS

25 If you believe that the amount of your non-exempt earnings has been incorrectly calculated
26 for this pay period or that no amount should be withheld because the Garnishment or underlying
27 Judgment is invalid, satisfied for superseded, you may request a hearing within ten (10) days after
28 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 hearing. A hearing
will be set within ten (10) days after your request.

I request a hearing for the following reasons.

[] The Non-Exempt Earnings Statement is incorrectly filled out.

[] Other: _____

Judgment Debtor

Signature

Date

Mailing address

Telephone Number

City, State, Zip

1 **NEUHEISEL LAW FIRM P.C.**

2 Kathryn A. Neuheisel 013625

3 Beth Bruno 030047

4 Kerry Osborne 030036

5 1501 West Fountainhead Parkway, Suite 130

6 Tempe, Arizona 85282

7 Tel (480) 557-6360

8 Toll Free (800) 366-3510

9 Fax (480) 557-6366

10 Email Attorneys@neuheisel.com

11 Attorneys for Plaintiff/Judgment Creditor

12 IN THE JUSTICE COURT OF THE MCDOWELL MOUNTAIN PRECINCT

13 MARICOPA COUNTY, STATE OF ARIZONA

14 18380 North 40th Street, Phoenix, Arizona 85032

15 CACH, LLC, a Limited Liability Company,

) Case No.: CC2013203278RC

16 Plaintiff/Judgment Creditor,

17 vs.

) INITIAL NOTICE TO
) JUDGMENT DEBTOR

18 BRYAN C. CHOATE and JANE DOE CHOATE,
19 JOHN DOES I-V and JANE DOES I-V,

) (Earnings)

20 Defendants/Judgment Debtors,

21 EXP REALTY, LLC,

22 Garnishee,

23 **AVISO**

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

28 To collect its 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.

1 The Writ of Garnishment is a Court Order requiring the Garnishee to withhold a certain
2 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.

3 The law provides that a certain amount of each paycheck or other earnings is exempt from
4 collection by a Writ of Garnishment. In some cases of very low income no amount can be
5 garnished except for an Order for support of a Person. Different exemption rights may apply to the
collection of taxes.

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

- 7 1. Answer of Garnishee.
- 8 2. Notice to the Judgment Debtor, which explains your rights and the procedures in the
9 Garnishment process.
- 10 3. Request for Hearing form, which you can use to request a hearing if you believe that
11 the amount withheld from your earnings is greater than the law allows or that the Garnishment is
invalid.

12 On each normal payday you should receive some earnings (paycheck) for the amount the
13 Garnishee calculates is protected by law. That calculation is made on a Non-Exempt Earnings
14 Statement, a copy of which should accompany your paycheck. If the Judgment Creditor's debt is
15 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 Earnings
Statement does not accompany your paycheck, you may request a hearing.

16 To request a hearing for the reasons described above, fill out the attached Request for
17 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.

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

21 If you request a hearing, the Court or Justice of the Peace will set the hearing within ten (10)
22 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 hearing.

1 **NEUHEISEL LAW FIRM P.C.**

2 Kathryn A. Neuheisel 013625

3 Beth Bruno 030047

4 Kerry Osborne 030036

5 1501 West Fountainhead Parkway, Suite 130

6 Tempe, Arizona 85282

7 Tel (480) 557-6360

8 Toll Free (800) 366-3510

9 Fax (480) 557-6366

10 Email Attorneys@neuheisel.com

11
12 IN THE JUSTICE COURT OF THE MCDOWELL MOUNTAIN PRECINCT
13 MARICOPA COUNTY, STATE OF ARIZONA
14 18380 North 40th Street, Phoenix, Arizona 85032
15

16 CACH, LLC, a Limited Liability Company,

) Case No.: CC2013203278RC

17 Plaintiff/Judgment Creditor,

18 vs.

) REQUEST FOR HEARING ON
) GARNISHMENT OF EARNINGS

19 BRYAN C. CHOATE and JANE DOE CHOATE,

20 JOHN DOES I-V and JANE DOES I-V,

21 Defendants/Judgment Debtors,

22 EXP REALTY, LLC,

23 Garnishee,

24 I REQUEST A HEARING BECAUSE:

25 [] On my normal payday I received no earnings (paycheck).

26 [] A copy of the Non-Exempt Earnings Statement did not accompany my paycheck.

27 [] The Judgment Creditor does not have a valid Judgment against me or that Judgment
28 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 for debt
scheduling between me and a qualified Consumer Credit Counseling Service.

Judgment Debtor

Signature

Date

Mailing address

Telephone Number

City, State, Zip

DO NOT WRITE ABOVE THIS LINE; RESERVED FOR ACC USE ONLY.

STATEMENT FOR SERVICE OF PROCESS

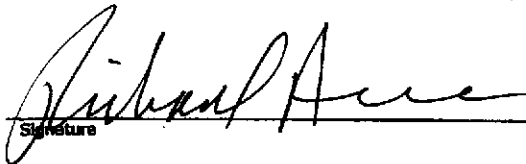
ENTITY NAME – give the exact name of the corporation or LLC as currently shown in A.C.C. records:

EXP REALTY, LLC

A.C.C. FILE NUMBER: R-1559521-8

Find the A.C.C. file number on the upper corner of filed documents OR on our website at: <http://www.azcc.gov/Divisions/Corporations>

By my signature below, I **certify under the penalty of perjury** that, upon information, knowledge, and belief, the above-named entity has either failed to appoint a statutory agent or failed to maintain a statutory agent at the statutory agent address on record with the Arizona Corporation Commission.


Signature

RICHARD ACRE
Printed Name

5-1-2014
Date

Service of process fee: \$25.00
All fees are nonrefundable.

Mail: Arizona Corporation Commission - Records Section
1300 W. Washington St., Phoenix, Arizona 85007
Fax: 602-542-3414

Please be advised that A.C.C. forms reflect only the minimum provisions required by statute. You should seek private legal counsel for those matters that may pertain to the individual needs of your business.
All documents filed with the Arizona Corporation Commission are public record and are open for public inspection.
If you have questions after reading the instructions, please call 602-542-3026 or (within Arizona only) 800-345-5819.

Corporate Maintenance

04/30/2014 State of Arizona Public Access System 10:21 AM
File Number: R-1559521-8
Corp. Name: EXP REALTY, LLC

Domestic Address
1325 LINCOLN ST #1

BELLINGHAM, WA 98229

Foreign Address

Agent: JAMES NUTH III
Status: APPOINTED 03/20/2013
Mailing Address:
2415 E CAMELBACK #700

PHOENIX, AZ 85016
Agent Last Updated: 03/22/2013

Business Type:

Domicile: WASHINGTON
County: MARICOPA
Corporation Type: FOREIGN L.L.C.
Life Period: PERPETUAL
Incorporation Date: 10/16/2009
Approval Date: 10/26/2009
Last A/R Received: /
Date A/R Entered:
Next Report Due:

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

Richard ACREE

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

User Id: JBAZEL
Invoice No.: 4471831

Check Batch:
Invoice Date: 05/01/2014
Date Received: 05/01/2014
Customer No.:

ATTN:
(CASH CUSTOMER)

Quantity	Description	Amount
1	SERVICE OF PROCESS R-1559521-8 EXP REALTY, LLC	\$25.00
Total Documents: \$		25.00
	CHECK 5011	\$25.00
PAYMENT		
Balance Due: \$		0.00