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JODI JERICH

Executive Director

COMMISSIONERS
DOUG LITTLE – Chairman
BOB STUMP
BOB BURNS
TOM FORESE
ANDY TOBIN



PATRICIA L. BARFIELD
Director
Corporations Division

ARIZONA CORPORATION COMMISSION

Date 02/16/2016

SOLAR INDUSTRIES, INC.
PO BOX 27337
TUCSON, AZ 85726

Dear Sir or Madam:

Enclosed is a copy of the following document(s) that were served upon the Arizona Corporation Commission on 02/16/2016 as agent for **SOLAR INDUSTRIES, INC.:**

Case caption: **RJF FINANCIAL LLC v. MICHAEL P CURDO,**
Case number: **CV12000983** Court: **PIMA COUNTY, PIMA JUSTICE COURT**

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

Sincerely,

Lynda B. Griffin
Custodian of Records

Initials **JAB**File number **-0808994-8**

COMMISSIONERS
DOUG LITTLE – Chairman
BOB STUMP
BOB BURNS
TOM FORESE
ANDY TOBIN



JODI JERICH
Executive Director

PATRICIA L. BARFIELD
Director
Corporations Division

ARIZONA CORPORATION COMMISSION

CERTIFICATE OF MAILING

The undersigned person certifies the following facts:

On **02/16/2016**, **JEFFREY A BARKER**, an employee of the Arizona Corporation Commission ("ACC"), received on behalf of the ACC service of the following documents upon the ACC as agent for **SOLAR INDUSTRIES, INC.**.

Case caption: **RJF FINANCIAL LLC v. MICHAEL P CURDO**,
Case number: **CV12000983**
Court: **PIMA COUNTY, PIMA JUSTICE COURT**

- | | |
|--|---|
| <input checked="" type="checkbox"/> Summons | <input type="checkbox"/> Default Judgment |
| <input 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 ANSWER OF GARNISHEE | |

On **02/16/2016**, the undersigned person placed a copy of the above listed documents in the United States Mail, postage prepaid, addressed to the entity at its last known place of business address, as follows:

SOLAR INDUSTRIES, INC.
PO BOX 27337
TUCSON, AZ 85726

OR

The undersigned 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.

Printed name: **JEFFREY A BARKER**

Date: **02/16/2016**

Signature: _____

LAW OFFICE OF JAMES R. VAUGHAN, P.C.

11445 E. Via Linda, Ste. 2-610 Scottsdale, AZ 85259

Phone: (602) 279-0778 Fax: (602) 279-0788 Toll Free: (866) 833-9411

**THIS SHOULD BE THE FIRST PAGE OF THE PACKET SERVED
JUDGMENT DEBTOR INFORMATION LETTER
FOR EMPLOYER USE ONLY
DO NOT FILE**

December 26, 2015

Dear Solar Industries, Inc.,

In order to properly process the attached garnishment and keep costs at a minimum for all parties involved, I have listed information below that may help to identify the correct party. If more information is necessary to process the garnishment, please contact me prior to filing the Answer of Garnishee so that I may assist however necessary.

Defendant Name: Michael P Curdo
Possible Alias:
Last known address: 7311 E Tempraila Ct
Tucson AZ 85750
Social security number: 571-81-3160

Please mail the completed **original** Answer of Garnishee to the court listed below. **DO NOT SEND A DOUBLE SIDED ANSWER.** You must send a copy of the Answer of Garnishee along with the completed Earnings Statement to our office.

If you employ more than one of the Judgment Debtors, please follow all directions as to each Judgment Debtor. Please file a separate **original** Answer of Garnishee as to each Judgment Debtor. Please send a copy of the Answer of Garnishee along with the completed Earning Statement to our office for each Judgment Debtor, if you employ more than one.

Pima Justice Court
240 N. Stone Ave.
Tucson AZ 85701

You may contact our Garnishment Department at (866) 833-9411 Option 5. Please be aware, this office cannot provide a garnishee legal assistance with garnishments.

Sincerely,
Jenni H.
Litigation Assistant

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

1 Law Office of James R. Vaughan, P.C.
Eric W. Logvin, SBN 028050
2 Brian K. Partridge, SBN 028090
Lindsey O. Stearns, SBN 028216
3 James R. Vaughan, SBN 016809
11445 E. Via Linda, Ste. 2-610
Scottsdale, AZ 85259
Telephone 602-279-0778
5 Fax 602-279-0788
Email: attorney@phoenixatty.com
6 Attorneys for Plaintiff-Judgment Creditor

7 **IN THE PIMA JUSTICE COURT OF PIMA COUNTY**
8 **THE STATE OF ARIZONA**
240 N. STONE AVE., TUCSON AZ 85701

9 **RJF FINANCIAL, LLC,**
10 **Plaintiff/Judgment Creditor,**

No. CV12000983

11 vs.

APPLICATION for
WRIT OF GARNISHMENT
(Earnings)

12 **MICHAEL P CURDO,**
Defendant / Judgment Debtor,

13 **SOLAR INDUSTRIES, INC.,**
14 **Garnishee.**

15 Applicant, being duly first sworn, deposes and says:

16 1. Affiant is one of the attorneys for the above-named Judgment Creditor, and is
17 authorized to make this affidavit.

18 2. Judgment Creditor has recovered Judgment against Michael P Curdo, (Called
19 "Judgment Debtor").

20 3. The present indebtedness of the Judgment Debtor to the Judgment Creditor under said
21 Judgment, as of December 26, 2015, is \$2,234.49. This Judgment balance consists of the
22 principal amount of \$1,075.00, accrued interest in the amount of \$969.49, court costs in the
23

1 amount of \$190.00, and attorney's fees in the amount of \$0.00. Interest is accruing on the
2 principal amount at the rate of 10.00% per annum until paid. Interest is accruing on the court
3 costs at the rate of 4.25% and on attorney's fees at the rate of 4.25% per annum until paid.

4. Judgment Creditor has made demand upon the Judgment Debtor for payment of the
5 amount due on the Judgment, but the Judgment Debtor has not paid that amount and has not
6 agreed and continued to pay the non-exempt portion of his wages until the Judgment is satisfied.

7 5. Garnishee is believed to be an employer of the Judgment Debtor.

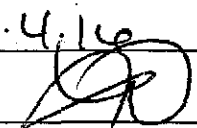
8 6. Applicant has not received notice of the Judgment Debtor's intent to enter into an
9 agreement for debt-scheduling with a qualified Consumer Credit Counseling Service; or if
10 Applicant received such notice, Applicant made a written, timely objection to the Judgment
11 Debtor participating in such an agreement; or Applicant has been notified that an agreement for
12 debt-scheduling is no longer in effect.

13 7. The address for Garnishee or authorized agent is:
14 Solar Industries, Inc.
15 Suzanne L Brei, Brei Law Firm
4574 N First Avenue #150
Tucson AZ 85718

16 I state, under penalty of perjury, that the foregoing is true and correct.

17 Wherefore, affiant requests issuance of a Writ of Garnishment against Garnishee.

18 RESPECTFULLY SUBMITTED 1-4-16

19 
[] Eric W. Logvin, SBN 028050

20 [] Brian K. Partridge, SBN 028090

21 ☒ Lindsey O. Stearns, SBN 028216

[] James R. Vaughan, SBN 016809

Attorneys for Plaintiff-Judgment Creditor

1 Law Office of James R. Vaughan, P.C.
Eric W. Logvin, SBN 028050
2 Brian K. Partridge, SBN 028090
Lindsey O. Stearns, SBN 028216
3 James R. Vaughan, SBN 016809
11445 E. Via Linda, Ste. 2-610
Scottsdale, AZ 85259
Telephone 602-279-0778
5 Fax 602-279-0788
Email: attorney@phoenixatty.com
6 Attorneys for Plaintiff-Judgment Creditor

7 **IN THE PIMA JUSTICE COURT OF PIMA COUNTY**
8 **THE STATE OF ARIZONA**
240 N. STONE AVE., TUCSON AZ 85701

9 **RJF FINANCIAL, LLC,**
10 **Plaintiff/Judgment Creditor,**

No. CV12000983

11 vs.

WRIT OF GARNISHMENT and
SUMMONS
(Earnings)

12 **MICHAEL P CURDO,**
Defendant / Judgment Debtor,

13 **SOLAR INDUSTRIES, INC.,**
14 **Garnishee.**

15 The State of Arizona

16 To: The Sheriff, Constable, or any other Officer of Pima, who is authorized by law to
17 serve process:

18 You are commanded to immediately summon the Garnishee to appear before the above-
19 entitled Court, with the time specified, to answer this Writ of Garnishment.

20 1. The name and address of the Garnishee or his authorized agent are: Solar Industries,
21 Inc., Suzanne L Brei, Brei Law Firm, 4574 N First Avenue #150, Tucson AZ 85718.
22
23

1 2. The name and address of the Judgment Creditor's Attorney is: c/o James R. Vaughan,
2 11445 E. Via Linda, Ste. 2-610 Scottsdale, AZ 85259.

3 3. As of the date of the issuance of this Writ, the outstanding balance due on the
Judgment is **\$2,234.49**. This Judgment balance consists of the principal amount of \$1,075.00,
5 accrued interest in the amount of \$969.49, court costs in the amount of \$190.00, and attorney's
6 fees in the amount of \$0.00. Interest is accruing on the principal amount at the rate of 10.00%
7 per annum until paid. Interest is accruing on the court costs at the rate of 4.25% and on
8 attorney's fees at the rate of 4.25% per annum until paid.

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

10 Michael P Curdo, 7311 E Temprailla Ct, Tucson AZ 85750

11 5. Demand has been made on the Judgment Debtors for payment on the Judgment, but
12 Judgment Debtors have not paid it.

13 **Garnishee shall answer within ten (10) days, exclusive of the date of service,**
14 **according to the instructions served herewith.** After you calculate the amount of the
15 garnishment, which is done by completing the Non-Exempt Earnings Statement served herewith,
16 **the garnishment-amount must be held, until the Court orders it to be paid over to the**
17 **Judgment Creditor or the Garnishee is discharged by the Judgment Creditor or the Court.**
18 **You must send a copy of the Non-Exempt Earnings Statement to the Creditor with your**
19 **Answer, but don't send the Non-Exempt Earnings Statement to the Court unless your**
20 **employee requests a hearing, and then you must file the Non-Exempt Earnings Statement**
21 **with the Court.**

22 The Answer of Garnishee shall set forth the following:

1 1. Whether Judgment Debtor was employed by Garnishee on the date of the Writ of
2 Garnishment was served;

3 2. Whether the Garnishee anticipated owing earnings within sixty (60) days after the date
4 of service of the Writ;

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

7 4. The dates of the next two (2) days occurring after the date of service of the Writ;

8 5. The pay period of Judgment Debtor, whether daily, weekly, biweekly, semi-monthly,
9 monthly or other specified period;

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

11 7. Whether Judgment Debtor is subject to an existing wage assignment, garnishment or
12 levy, and if so, the name, address and telephone numbers of that Judgment Creditor;

13 8. The name, address and telephone number of Garnishee;

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

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JAN 06 2016

JACK PEYTON

By the Court

Parties must make requests for reasonable accommodation for persons with disabilities to the court at least 3 working days in advance of a scheduled court proceeding.

1 Law Office of James R. Vaughan, P.C.
Eric W. Logvin, SBN 028050
2 Brian K. Partridge, SBN 028090
Lindsey O. Stearns, SBN 028216
3 James R. Vaughan, SBN 016809
11445 E. Via Linda, Ste. 2-610
Scottsdale, AZ 85259
Telephone 602-279-0778
5 Fax 602-279-0788
Email: attorney@phoenixatty.com
6 Attorneys for Plaintiff-Judgment Creditor

7 **IN THE PIMA JUSTICE COURT OF PIMA COUNTY**
8 **THE STATE OF ARIZONA**
240 N. STONE AVE., TUCSON AZ 85701

9 **RJF FINANCIAL, LLC,**
10 **Plaintiff/Judgment Creditor,**

No. CV12000983

11 **vs.**

WRIT OF GARNISHMENT and
SUMMONS
(Earnings)

12 **MICHAEL P CURDO,**
Defendant / Judgment Debtor,

13 **SOLAR INDUSTRIES, INC.,**
14 **Garnishee.**

15 The State of Arizona

16 To: The Sheriff, Constable, or any other Officer of Pima, who is authorized by law to
17 serve process:

18 You are commanded to immediately summon the Garnishee to appear before the above-
19 entitled Court, with the time specified, to answer this Writ of Garnishment.

20 1. The name and address of the Garnishee or his authorized agent are: Solar Industries,
21 Inc., Suzanne L Brei, Brei Law Firm, 4574 N First Avenue #150, Tucson AZ 85718.
22
23

1 2. The name and address of the Judgment Creditor's Attorney is: c/o James R. Vaughan,
2 11445 E. Via Linda, Ste. 2-610 Scottsdale, AZ 85259.

3 3. As of the date of the issuance of this Writ, the outstanding balance due on the
Judgment is **\$2,234.49**. This Judgment balance consists of the principal amount of \$1,075.00,
5 accrued interest in the amount of \$969.49, court costs in the amount of \$190.00, and attorney's
6 fees in the amount of \$0.00. Interest is accruing on the principal amount at the rate of 10.00%
7 per annum until paid. Interest is accruing on the court costs at the rate of 4.25% and on
8 attorney's fees at the rate of 4.25% per annum until paid.

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

10 Michael P Curdo, 7311 E Temprailla Ct, Tucson AZ 85750

11 5. Demand has been made on the Judgment Debtors for payment on the Judgment, but
12 Judgment Debtors have not paid it.

13 **Garnishee shall answer within ten (10) days, exclusive of the date of service,**
14 **according to the instructions served herewith.** After you calculate the amount of the
15 garnishment, which is done by completing the Non-Exempt Earnings Statement served herewith,
16 **the garnishment-amount must be held, until the Court orders it to be paid over to the**
17 **Judgment Creditor or the Garnishee is discharged by the Judgment Creditor or the Court.**
18 **You must send a copy of the Non-Exempt Earnings Statement to the Creditor with your**
19 **Answer, but don't send the Non-Exempt Earnings Statement to the Court unless your**
20 **employee requests a hearing, and then you must file the Non-Exempt Earnings Statement**
21 **with the Court.**

22 The Answer of Garnishee shall set forth the following:

1 1. Whether Judgment Debtor was employed by Garnishee on the date of the Writ of
2 Garnishment was served;

3 2. Whether the Garnishee anticipated owing earnings within sixty (60) days after the date
4 of service of the Writ;

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

7 4. The dates of the next two (2) days occurring after the date of service of the Writ;

8 5. The pay period of Judgment Debtor, whether daily, weekly, biweekly, semi-monthly,
9 monthly or other specified period;

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

11 7. Whether Judgment Debtor is subject to an existing wage assignment, garnishment or
12 levy, and if so, the name, address and telephone numbers of that Judgment Creditor;

13 8. The name, address and telephone number of Garnishee;

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

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SIGNED, SEALED AND ENTERED

JACK PEYTON

By the Court

CV12000983 Page 4 of 4 Writ of Garnishment and Summons
(Earnings)

1 Law Office of James R. Vaughan, P.C.
Eric W. Logvin SBN 028050
2 Brian K. Partridge SBN 028090
James R. Vaughan SBN 016809
3 11445 E. Via Linda, Ste. 2-610
Scottsdale, AZ 85259
4 Telephone 602-279-0778
Fax 602-279-0788
5 Email: attorney@phoenixatty.com
Attorney for Plaintiff

6 **IN THE PIMA JUSTICE COURT OF PIMA COUNTY**
7 **THE STATE OF ARIZONA**

8 **RJF FINANCIAL, LLC,**
Plaintiff,

No. CV12000983

9 vs.

JUDGMENT

10 **MICHAEL P CURDO,**
11 Defendant(s).

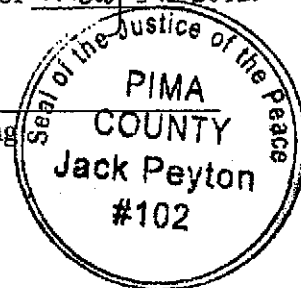
12 This matter has come before the Court, and the Court FINDS that Defendant(s) has been
13 served and has failed to answer within the allotted time, and that the default of Defendant(s) has
14 been entered by the Clerk and more than ten (10) judicial days have passed, and therefore IT IS
HEREBY ORDERED that Judgment is entered for Plaintiff and against Defendant(s): Michael P
Curdo, as follows:

15 1. Balance \$1,075.00
2. Costs Advanced \$190.00

16 JUDGMENT IN THE AMOUNT OF: \$1,265.00. Interest accrues on the Balance at the
17 rate of 10.00% per annum from 03/31/2007 until paid, pursuant to A.R.S. § 44-1201(A). Interest
18 accrues on the costs at the rate of 4.25% per annum from the date of judgment until paid,
pursuant to A.R.S. § 44-1201(B).

19 SIGNED AND ORDERED ENTERED this 7 day of May, 2012.

20
21 Judge Presiding



INSTRUCTIONS to GARNISHEE
GARNISHMENT OF EARNINGS

BELOW IS AN EXECUTIVE SUMMARY OF THE ARIZONA REVISED STATUTES.

THIS IS NOT LEGAL ADVICE.

CONSULT AN ATTORNEY IF YOU HAVE QUESTIONS.

Statutes require that the Judgment Creditor provide the Garnishee with multiple copies of the following documents:

- Writ and Summons of Garnishment
- Underlying Judgment
- Answer of Garnishee
- Notice to Judgment Debtor
- Request for Hearing on Garnishment
- Instructions
- Nonexempt Earning Statements
- Request for Hearing on Earnings

If any of these documents are missing, contact the Judgment Creditor's attorney right away. Please note, some of these documents can be found on our website, Phoenixatty.com.

DEFINITIONS of COMMONLY USED TERMS

"Garnishee" is the person or entity suspected of employing or owing earnings to the Judgment Debtor. All parties are identified in the heading on Page 1 of the Writ of Garnishment.

"Judgment Creditor" means a party who has money Judgment or an order for support of a person that is due and unpaid.

"Judgment Debtor" means a party against whom a money Judgment or order for support of a person has been awarded.

"Earnings" mean compensation paid, or payable, for personal services, whether these payments are wages, salary, commission, bonus or otherwise. Earnings include those paid to an independent contractor or "1099" worker. Earnings also include periodic payments pursuant to a pension or retirement program.

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

"Nonexempt earnings" mean those earnings, or that portion of earnings, which are subject to judicial process including garnishment.

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

"Date of Service" is the date on which garnishment documents were served upon the Garnishee's Statutory Agent, the Arizona Corporation Commission or other authorized party pursuant to the rules of civil procedure.

(Compiled from Ariz. Rev. Stat. Ann. §12-1598 and other sources)

GARNISHEE'S DUTIES to WITHHOLD

If the Judgment Debtor is employed by the Garnishee, or the Garnishee otherwise owes earnings to the Judgment Debtor:

1. The Garnishee must start to withhold nonexempt earnings of the Judgment Debtor each payday after of the date of service.
2. Nonexempt earnings are calculated by completing the Nonexempt Earnings Statement. Copies of the Nonexempt Earnings Statements must be delivered to the Judgment Debtor and the Judgment Creditor.
3. The Garnishee is to hold onto the withheld funds awaiting instructions from the Court.
4. The Garnishee is not liable to the Judgment Creditor for failing to withhold earnings from the Judgment Debtor if those earnings are paid to the Judgment Debtor on a payday falling within 3 days, not including weekends and holidays, after the date of service of the Writ of Garnishment.

(Ariz. Rev. Stat. Ann. §12-1598.05)

GARNISHEE'S DUTIES to RESPOND to SUMMONS

Within 10 days after being served with the Writ and Summons of Garnishment, the Garnishee must:

1. If the Garnishee **does not employ or anticipate owing earnings** to the Judgment Debtor within 60 days following the date of service of the Writ of Garnishment, the Garnishee must:
 - a. **Answer of Garnishee**
 - i. Complete and sign the Answer of Garnishee under oath.
 - ii. If there is more than one Judgment Debtor, the Garnishee must answer as to each Judgment Debtor named in the Writ of Garnishment.
 - iii. File the original Answer of Garnishee with the Court.
 - iv. Deliver a copy to the Judgment Creditor.
 - v. If possible, deliver a copy to the Judgment Debtor.
 - b. After the Answer of Garnishee is filed, the Court may require further action from the Garnishee if any party objects to the Answer of Garnishee.
2. If the Garnishee **does employ or anticipates owing earnings** to the Judgment Debtor within 60 days following the date of service of the Writ of Garnishment, the Garnishee must:
 - a. **Answer of Garnishee**
 - i. Complete the Answer of Garnishee, signed by Garnishee, true and under oath.
 - ii. If there is more than one Judgment Debtor, Garnishee must answer as to each Judgment Debtor named in the Writ of Garnishment.
 - iii. File the original Answer of Garnishee with the Court.
 - iv. Deliver a copy to the Judgment Creditor.

- v. Deliver a copy to the Judgment Debtor via first class mail, hand delivery or service of process only. (No other method of delivery is acceptable to the Court).

b. Nonexempt Earnings Statement

i. Complete the Nonexempt Earnings Statement

1. The initial Nonexempt Earnings Statement must be delivered within 10 days of service. If there are no paydays within these 10 days, the Garnishee may use the calculations from the previous paycheck and clearly mark the Nonexempt Earnings Statement with "ESTIMATE."

2. Each pay period following and while the lien is in effect, Garnishee shall provide Nonexempt Earnings Statements.

i. Deliver a copy to the Judgment Creditor.

ii. Deliver a copy of the Nonexempt Earnings Statement and the Request for Hearing on Earnings, to the Judgment Debtor via first class mail, hand delivery or service of process only.

c. Notice to Judgment Debtor

- xxi. Deliver to the Judgment Debtor via first class mail, hand delivery or service of process only.**

d. Request for Hearing on Garnishment form

- xxii. Deliver the Judgment Debtor via first class mail, hand delivery or service of process only.**

(Ariz. Rev. Stat. Ann. §§12-1598.06, 12-1598.07, 12-1598.08, 12-1598.11)

GARNISHEE'S DUTIES UPON RECEIPT of ORDER of CONTINUING LIEN

1. If appropriate, the Court will order that the garnishment is a continuing lien against the nonexempt earnings of the Judgment Debtor. The Judgment Creditor will deliver a copy of the Order of Continuing Lien to the Garnishee. Once received, the Garnishee is to immediately sending all of the earnings withheld since service of the Writ of Garnishment to the Judgment Creditor's Attorney. Checks should be made payable to:

The Trust Account of James R. Vaughan
11445 E Via Linda, Ste. 2-610
Scottsdale, AZ 85259

2. The Garnishee is to continue to withhold and send funds and nonexempt earnings statement until the Garnishee is discharged (see "Discharge of the Garnishee" below)

(Ariz. Rev. Stat. Ann. §12-1598.10)

DISCHARGE of the GARNISHSEE

1. If an Order of Continuing Lien is entered, it will remain in effect until the occurrence of any of the following:
 - a. The underlying judgment is satisfied in full, is vacated or expires.
 - b. The Judgment Debtor leaves the Garnishee's employ for more than 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 has not earned any nonexempt earnings for at least 60 days.
- f. The Court orders that the garnishment be quashed.

(Ariz. Rev. Stat. Ann. §12-1598.09)

- 2. If no Order of Continuing Lien is entered within 45 days after the Answer of Garnishee is filed with the Court and only if no objections are filed to your Answer of Garnishee, any earnings held by the Garnishee shall be released to the Judgment Debtor. Furthermore, the Garnishee will be discharged from any liability on the Garnishment.

(Ariz. Rev. Stat. Ann. §12-1598.10)

CONSEQUENCES for FAILURE to COMPLY

The Garnishee is not liable to the Judgment Debtor, for acting in reliance on the validity of a garnishment which is regular on its face. However, for noncompliance with the Garnishee's responsibilities, the garnishment law provides the following:

(B) If the Garnishee fails after written notice to deliver nonexempt earnings to the Judgment Creditor within 30 days after the ending date of the pay period, or fails after written notice to deliver the Nonexempt Earning Statement to the Judgment Debtor with the Nonexempt earnings, the Judgment Debtor may petition the Court for relief. The Court shall, after notice, hold a hearing to determine if such failure 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 Debtor all of the following:

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

(C) While an Order of Continuing Lien pursuant to 12-1598.10 is in effect, if the Garnishee fails to deliver to the Judgment Creditor the nonexempt earnings of the Judgment Debtor, if any, and the copy of the Nonexempt earnings Statement within 14 days of the end of the pertinent pay period, and the Judgment Creditor thereafter delivers a written demand for the nonexempt earnings and statement and the garnishee does not comply within 14 days of the receipt of the written demand, the Judgment Creditor may 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 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 the failure to comply.
2. Reasonable attorney's fees, if the Judgment Creditor was represented by an attorney at such hearing.
3. Court costs. The Court may award the Judgment Creditor an additional amount not to exceed \$400.00.

(Ariz. Rev. Stat. Ann. 12-1598.13)

INSTRUCTIONS to GARNISHEE
GARNISHMENT OF EARNINGS

BELOW IS AN EXECUTIVE SUMMARY OF THE ARIZONA REVISED STATUTES.
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- Nonexempt Earning Statements
- Request for Hearing on Earnings

If any of these documents are missing, contact the Judgment Creditor's attorney right away. Please note, some of these documents can be found on our website, Phoenixatty.com.

DEFINITIONS of COMMONLY USED TERMS

"Garnishee" is the person or entity suspected of employing or owing earnings to the Judgment Debtor. All parties are identified in the heading on Page 1 of the Writ of Garnishment.

"Judgment Creditor" means a party who has money Judgment or an order for support of a person that is due and unpaid.

"Judgment Debtor" means a party against whom a money Judgment or order for support of a person has been awarded.

"Earnings" mean compensation paid, or payable, for personal services, whether these payments are wages, salary, commission, bonus or otherwise. Earnings include those paid to an independent contractor or "1099" worker. Earnings also include periodic payments pursuant to a pension or retirement program.

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

"Nonexempt earnings" mean those earnings, or that portion of earnings, which are subject to judicial process including garnishment.

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

"Date of Service" is the date on which garnishment documents were served upon the Garnishee's Statutory Agent, the Arizona Corporation Commission or other authorized party pursuant to the rules of civil procedure.

(Compiled from Ariz. Rev. Stat. Ann. §12-1598 and other sources)

GARNISHEE'S DUTIES to WITHHOLD

If the Judgment Debtor is employed by the Garnishee, or the Garnishee otherwise owes earnings to the Judgment Debtor:

1. The Garnishee must start to withhold nonexempt earnings of the Judgment Debtor each payday after of the date of service.
2. Nonexempt earnings are calculated by completing the Nonexempt Earnings Statement. Copies of the Nonexempt Earnings Statements must be delivered to the Judgment Debtor and the Judgment Creditor.
3. The Garnishee is to hold onto the withheld funds awaiting instructions from the Court.
4. The Garnishee is not liable to the Judgment Creditor for failing to withhold earnings from the Judgment Debtor if those earnings are paid to the Judgment Debtor on a payday falling within 3 days, not including weekends and holidays, after the date of service of the Writ of Garnishment.

(Ariz. Rev. Stat. Ann. §12-1598.05)

GARNISHEE'S DUTIES to RESPOND to SUMMONS

Within 10 days after being served with the Writ and Summons of Garnishment, the Garnishee must:

1. If the Garnishee **does not employ or anticipate owing earnings** to the Judgment Debtor within 60 days following the date of service of the Writ of Garnishment, the Garnishee must:
 - a. **Answer of Garnishee**
 - i. Complete and sign the Answer of Garnishee under oath.
 - ii. If there is more than one Judgment Debtor, the Garnishee must answer as to each Judgment Debtor named in the Writ of Garnishment.
 - iii. File the original Answer of Garnishee with the Court.
 - iv. Deliver a copy to the Judgment Creditor.
 - v. If possible, deliver a copy to the Judgment Debtor.
 - b. After the Answer of Garnishee is filed, the Court may require further action from the Garnishee if any party objects to the Answer of Garnishee.
2. If the Garnishee **does employ or anticipates owing earnings** to the Judgment Debtor within 60 days following the date of service of the Writ of Garnishment, the Garnishee must:
 - a. **Answer of Garnishee**
 - i. Complete the Answer of Garnishee, signed by Garnishee, true and under oath.
 - ii. If there is more than one Judgment Debtor, Garnishee must answer as to each Judgment Debtor named in the Writ of Garnishment.
 - iii. File the original Answer of Garnishee with the Court.
 - iv. Deliver a copy to the Judgment Creditor.

- v. Deliver a copy to the Judgment Debtor via first class mail, hand delivery or service of process only. (No other method of delivery is acceptable to the Court).

b. Nonexempt Earnings Statement

i. Complete the Nonexempt Earnings Statement

- 1. The initial Nonexempt Earnings Statement must be delivered within 10 days of service. If there are no paydays within these 10 days, the Garnishee may use the calculations from the previous paycheck and clearly mark the Nonexempt Earnings Statement with "ESTIMATE."

- 2. Each pay period following and while the lien is in effect, Garnishee shall provide Nonexempt Earnings Statements.

i. Deliver a copy to the Judgment Creditor.

- ii. Deliver a copy of the Nonexempt Earnings Statement and the Request for Hearing on Earnings, to the Judgment Debtor via first class mail, hand delivery or service of process only.

c. Notice to Judgment Debtor

- xxi. Deliver to the Judgment Debtor via first class mail, hand delivery or service of process only.

d. Request for Hearing on Garnishment form

- xxii. Deliver the Judgment Debtor via first class mail, hand delivery or service of process only.

(Ariz. Rev. Stat. Ann. §§12-1598.06, 12-1598.07, 12-1598.08, 12-1598.11)

GARNISHEE'S DUTIES UPON RECEIPT of ORDER of CONTINUING LIEN

- 1. If appropriate, the Court will order that the garnishment is a continuing lien against the nonexempt earnings of the Judgment Debtor. The Judgment Creditor will deliver a copy of the Order of Continuing Lien to the Garnishee. Once received, the Garnishee is to immediately sending all of the earnings withheld since service of the Writ of Garnishment to the Judgment Creditor's Attorney. Checks should be made payable to:

The Trust Account of James R. Vaughan
11445 E Via Linda, Ste. 2-610
Scottsdale, AZ 85259

- 2. The Garnishee is to continue to withhold and send funds and nonexempt earnings statement until the Garnishee is discharged (see "Discharge of the Garnishee" below)

(Ariz. Rev. Stat. Ann. §12-1598.10)

DISCHARGE of the GARNISHSEE

- 1. If an Order of Continuing Lien is entered, it will remain in effect until the occurrence of any of the following:
 - a. The underlying judgment is satisfied in full, is vacated or expires.
 - b. The Judgment Debtor leaves the Garnishee's employ for more than 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 has not earned any nonexempt earnings for at least 60 days.
- f. The Court orders that the garnishment be quashed.

(Ariz. Rev. Stat. Ann. §12-1598.09)

- 2. If no Order of Continuing Lien is entered within 45 days after the Answer of Garnishee is filed with the Court and only if no objections are filed to your Answer of Garnishee, any earnings held by the Garnishee shall be released to the Judgment Debtor. Furthermore, the Garnishee will be discharged from any liability on the Garnishment.

(Ariz. Rev. Stat. Ann. §12-1598.10)

CONSEQUENCES for FAILURE to COMPLY

The Garnishee is not liable to the Judgment Debtor, for acting in reliance on the validity of a garnishment which is regular on its face. However, for noncompliance with the Garnishee's responsibilities, the garnishment law provides the following:

(B) If the Garnishee fails after written notice to deliver nonexempt earnings to the Judgment Creditor within 30 days after the ending date of the pay period, or fails after written notice to deliver the Nonexempt Earning Statement to the Judgment Debtor with the Nonexempt earnings, the Judgment Debtor may petition the Court for relief. The Court shall, after notice, hold a hearing to determine if such failure 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 Debtor all of the following:

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

(C) While an Order of Continuing Lien pursuant to 12-1598.10 is in effect, if the Garnishee fails to deliver to the Judgment Creditor the nonexempt earnings of the Judgment Debtor, if any, and the copy of the Nonexempt earnings Statement within 14 days of the end of the pertinent pay period, and the Judgment Creditor thereafter delivers a written demand for the nonexempt earnings and statement and the garnishee does not comply within 14 days of the receipt of the written demand, the Judgment Creditor may 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 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 the failure to comply.
2. Reasonable attorney's fees, if the Judgment Creditor was represented by an attorney at such hearing.
3. Court costs. The Court may award the Judgment Creditor an additional amount not to exceed \$400.00.

(Ariz. Rev. Stat. Ann. 12-1598.13)

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3 James R. Vaughan, SBN 016809
11445 E. Via Linda, Ste. 2-610
4 Scottsdale, AZ 85259
Telephone 602-279-0778
5 Fax 602-279-0788
Email: attorney@phoenixatty.com
6 Attorneys for Plaintiff

7 IN THE PIMA JUSTICE COURT OF PIMA COUNTY
THE STATE OF ARIZONA
8 240 N. STONE AVE., TUCSON AZ 85701

9 RJF FINANCIAL, LLC,
Plaintiff/Judgment Creditor,

No. CV12000983

10 vs.

11 MICHAEL P CURDO
12 Defendant/Judgment Debtor,

ANSWER of GARNISHEE
(Earnings)

13 SOLAR INDUSTRIES, INC.,
14 Garnishee.

15 1. I am answering for Judgment Debtor: _____
16 (Copy this form and re-submit if you are answering for multiple Judgment Debtors)

17 2. 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 ____/____/____.

18 3. Was the Judgment Debtor employed by the Garnishee or classified as an independent
contractor on the *date the Writ was served* (if no, indicate last day of employment):

19 ☐ Yes ☐ No If NO, last day of employment: ____/____/____.

20 4. Does the Garnishee anticipate *owing earnings* (via W-2 or Form 1099) to the Judgment
Debtor within sixty (60) days after the *date of service of the Writ*?

21 ☐ Yes ☐ No
22
23

5. 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 reason for that inability: _____

6. The Writ of Garnishment was *served upon the Garnishee* (or its Statutory Agent) on this date: ____/____/____. State the dates of the Judgment Debtor's next two (2) paydays occurring immediately after the *date of the service of the Writ*:

6a. ____/____/____ 6b. ____/____/____

7. Is the Judgment Debtor employed, classified as an independent contractor, or otherwise receiving earnings from the Garnishee currently? ☐ Yes ☐ No

If YES, Judgment Debtor is paid (check which apply):

☐ Daily ☐ Biweekly ☐ Monthly
☐ Weekly ☐ Semi-Monthly ☐ Other _____

8. The **current** amount of the outstanding Judgment now due and owing as stated in the Writ is: \$2,234.49, with Court awarded interest currently accruing at \$0.3166 per day.

9. Is the Judgment Debtor subject to an existing wage assignment, garnishment or levy?
☐ Yes ☐ No. If YES, provide case information:

Creditor: _____ Creditor: _____

Court: _____ Court: _____

Case Number: _____ Case Number: _____

10. Did Garnishee answer "yes" to either question #3 or #4? ☐ Yes ☐ No.

If YES, copies of this Answer and copies of the Notice to Judgment Debtor, Request for Hearing and Non-Exempt Earnings Statement were delivered to the **Judgment Debtor** by: (choose one)

☐ Hand-delivery on ____/____/____ (date)

☐ First-Class Mail on ____/____/____ (date), at the address below:

(Judgment Debtor Address)

(City, State, Zip)

☐ Service pursuant to the Rules of Civil Procedure applicable to a summons on

____/____/____ (date).

Delivery to the Judgment Debtor must be made using a method specified here. **Delivery by email is not permitted.** A.R.S. §12-1598(2).

11. Copies of this Answer and Non-Exempt Earnings Statement were delivered to the Judgment Creditor's attorney at the following address by: (choose one)

Law Office of James R. Vaughan
11445 E. Via Linda, Ste. 2-610
Scottsdale, AZ 85259

☐ Hand-delivery on ____/____/____ (date)

☐ First-Class Mail on ____/____/____ (date)

☐ Service pursuant to the Rules of Civil Procedure applicable to a summons on ____/____/____ (date).

12. Garnishee's contact information (Employer):

Company Name: Solar Industries, Inc.

Contact Name/Department: _____

Contact Address: _____

Contact Phone Number: _____

Contact Fax Number: _____

Contact Email Address: _____

13. An original completed Answer has been mailed or filed with the court located at:

☐ Pima Justice Court
240 N. Stone Ave.
Tucson AZ 85701

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

WHEREFORE, Garnishee prays that the Court award Garnishee reasonable compensation in the amount of \$_____, as reasonable amount for preparation and filing of this Answer. Reasonable compensation is **not to exceed \$50.00**. Ariz. Rev. Stat. Ann. §12-1598.15(D). This amount is in addition to the optional processing fee of \$5.00 per pay period, allowed under Ariz. Rev. Stat Ann. §12-1598.15(E),

As Garnishee or Agent for Garnishee, I state under penalty of perjury the foregoing is true and correct.

DATED: _____

Signature of Garnishee or Agent

Printed Name

Title

**ATTENTION GARNISHEE
PLEASE DO THE FOLLOWING THINGS WITH
YOUR COMPLETED ANSWER OF GARNISHEE FORM:**

- [] Mail or File the ORIGINAL Answer of Garnishee with the Court at:
Pima Justice Court
240 N. Stone Ave.
Tucson AZ 85701
- [] Mail a copy to the Plaintiff's Attorney at:
Law Office of James R. Vaughan
11445 E. Via Linda, Ste. 2-610
Scottsdale, AZ 85259
- [] Hand deliver, Mail or Serve a copy to the Judgment Debtor.
NO OTHER METHODS OF DELIVERY WILL BE ACCEPTED
Judgment Debtor's address:

IMPORTANT NOTICES REGARDING THE ANSWER OF GARNISHEE

- The response to question 10 in this Answer (regarding delivery of documents) must indicate the DATE and MANNER the documents detailed were delivered to the judgment debtor and the judgment creditor. The manner MUST be one of the options provided. Email, Inner office mail or any other methods will NOT be accepted.
- The Answer must be signed and dated. You are stating, under oath, that the answers are true.
- The original must be filed with the court (see #13) and a copy delivered to the Plaintiff's attorney.
- The court may reject an Answer of Garnishee that is not completed in its entirety.
- The plaintiff's attorney WILL object to an answer that is not completed correctly.
- Failure to complete and file this Answer may subject Garnishee to sanctions by the court.

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4 Scottsdale, AZ 85259
Telephone 602-279-0778
5 Fax 602-279-0788
Email: attorney@phoenixatty.com
6 Attorneys for Plaintiff

7 IN THE PIMA JUSTICE COURT OF PIMA COUNTY
THE STATE OF ARIZONA
8 240 N. STONE AVE., TUCSON AZ 85701

9 RJF FINANCIAL, LLC,
Plaintiff/Judgment Creditor,

No. CV12000983

10 vs.

11 MICHAEL P CURDO
12 Defendant/Judgment Debtor,

ANSWER of GARNISHEE
(Earnings)

13 SOLAR INDUSTRIES, INC.,
14 Garnishee.

15 1. I am answering for Judgment Debtor: _____
16 (Copy this form and re-submit if you are answering for multiple Judgment Debtors)

17 2. 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 ____/____/____.

18 3. Was the Judgment Debtor employed by the Garnishee or classified as an independent
contractor on the *date the Writ was served* (if no, indicate last day of employment):
19 ☐ Yes ☐ No If NO, last day of employment: ____/____/____.

20 4. Does the Garnishee anticipate *owing earnings* (via W-2 or Form 1099) to the Judgment
Debtor within sixty (60) days after the *date of service of the Writ*?
21 ☐ Yes ☐ No
22
23

5. 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 reason for that inability: _____

6. The Writ of Garnishment was *served upon the Garnishee* (or its Statutory Agent) on this date: ____/____/____. State the dates of the Judgment Debtor's next two (2) paydays occurring immediately after the *date of the service of the Writ*:

6a. ____/____/____ 6b. ____/____/____

7. Is the Judgment Debtor employed, classified as an independent contractor, or otherwise receiving earnings from the Garnishee currently? ☐ Yes ☐ No

If YES, Judgment Debtor is paid (check which apply):

☐ Daily ☐ Biweekly ☐ Monthly
☐ Weekly ☐ Semi-Monthly ☐ Other _____

8. The *current* amount of the outstanding Judgment now due and owing as stated in the Writ is: \$2,234.49, with Court awarded interest currently accruing at \$0.3166 per day.

9. Is the Judgment Debtor subject to an existing wage assignment, garnishment or levy?
☐ Yes ☐ No. If YES, provide case information:

Creditor: _____ Creditor: _____

Court: _____ Court: _____

Case Number: _____ Case Number: _____

10. Did Garnishee answer "yes" to either question #3 or #4? ☐ Yes ☐ No.

If YES, copies of this Answer and copies of the Notice to Judgment Debtor, Request for Hearing and Non-Exempt Earnings Statement were delivered to the **Judgment Debtor** by: (choose one)

☐ Hand-delivery on ____/____/____ (date)

☐ First-Class Mail on ____/____/____ (date), at the address below:

(Judgment Debtor Address)

(City, State, Zip)

☐ Service pursuant to the Rules of Civil Procedure applicable to a summons on

____/____/____ (date).

Delivery to the Judgment Debtor **must** be made using a method specified here. **Delivery by email is not permitted.** A.R.S. §12-1598(2).

11. Copies of this Answer and Non-Exempt Earnings Statement were delivered to the Judgment Creditor's attorney at the following address by: (choose one)

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11445 E. Via Linda, Ste. 2-610
Scottsdale, AZ 85259

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12. Garnishee's contact information (Employer):

Company Name: Solar Industries, Inc.

Contact Name/Department: _____

Contact Address: _____

Contact Phone Number: _____

Contact Fax Number: _____

Contact Email Address: _____

13. An original completed Answer has been mailed or filed with the court located at:

☐ Pima Justice Court
240 N. Stone Ave.
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14. I have read the foregoing document and know of my own knowledge that the facts stated herein are true and correct.

WHEREFORE, Garnishee prays that the Court award Garnishee reasonable compensation in the amount of \$_____, as reasonable amount for preparation and filing of this Answer. Reasonable compensation is **not to exceed \$50.00**. Ariz. Rev. Stat. Ann. §12-1598.15(D). This amount is in addition to the optional processing fee of \$5.00 per pay period, allowed under Ariz. Rev. Stat Ann. §12-1598.15(E),

As Garnishee or Agent for Garnishee, I state under penalty of perjury the foregoing is true and correct.

DATED: _____

Signature of Garnishee or Agent

Printed Name

Title

**ATTENTION GARNISHEE
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Judgment Debtor's address:

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- The Answer must be signed and dated. You are stating, under oath, that the answers are true.
- The original must be filed with the court (see #13) and a copy delivered to the Plaintiff's attorney.
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- The plaintiff's attorney WILL object to an answer that is not completed correctly.
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6 Attorneys for Plaintiff

7 IN THE PIMA JUSTICE COURT OF PIMA COUNTY
THE STATE OF ARIZONA
8 240 N. STONE AVE., TUCSON AZ 85701

9 R.JF FINANCIAL, LLC,
Plaintiff/Judgment Creditor,

No. CV12000983

10 vs.

11 MICHAEL P CURDO
12 Defendant/Judgment Debtor,

ANSWER of GARNISHEE
(Earnings)

13 SOLAR INDUSTRIES, INC.,
14 Garnishee.

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16 (Copy this form and re-submit if you are answering for multiple Judgment Debtors)

17 2. 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 ____/____/____.

18 3. Was the Judgment Debtor employed by the Garnishee or classified as an independent
contractor on the *date the Writ was served* (if no, indicate last day of employment):
19 ☐ Yes ☐ No If NO, last day of employment: ____/____/____.

20 4. Does the Garnishee anticipate *owing earnings* (via W-2 or Form 1099) to the Judgment
Debtor within sixty (60) days after the *date of service of the Writ*?
21 ☐ Yes ☐ No
22
23

5. 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 reason for that inability: _____

6. The Writ of Garnishment was *served upon the Garnishee* (or its Statutory Agent) on this date: ____/____/____. State the dates of the Judgment Debtor's next two (2) paydays occurring immediately after the *date of the service of the Writ*:

6a. ____/____/____ 6b. ____/____/____

7. Is the Judgment Debtor employed, classified as an independent contractor, or otherwise receiving earnings from the Garnishee currently? ☐ Yes ☐ No

If YES, Judgment Debtor is paid (check which apply):

☐ Daily ☐ Biweekly ☐ Monthly
☐ Weekly ☐ Semi-Monthly ☐ Other _____

8. The *current* amount of the outstanding Judgment now due and owing as stated in the Writ is: \$2,234.49, with Court awarded interest currently accruing at \$0.3166 per day.

9. Is the Judgment Debtor subject to an existing wage assignment, garnishment or levy?
☐ Yes ☐ No. If YES, provide case information:

Creditor: _____

Creditor: _____

Court: _____

Court: _____

Case Number: _____

Case Number: _____

10. Did Garnishee answer "yes" to either question #3 or #4? ☐ Yes ☐ No.

If YES, copies of this Answer and copies of the Notice to Judgment Debtor, Request for Hearing and Non-Exempt Earnings Statement were delivered to the **Judgment Debtor** by: (choose one)

☐ Hand-delivery on ____/____/____ (date)

☐ First-Class Mail on ____/____/____ (date), at the address below:

(Judgment Debtor Address)

(City, State, Zip)

☐ Service pursuant to the Rules of Civil Procedure applicable to a summons on

____/____/____ (date).

Delivery to the Judgment Debtor must be made using a method specified here. **Delivery by email is not permitted.** A.R.S. §12-1598(2).

1 11. Copies of this Answer and Non-Exempt Earnings Statement were delivered to the
2 Judgment Creditor's attorney at the following address by: (choose one)

3 **Law Office of James R. Vaughan**
4 **11445 E. Via Linda, Ste. 2-610**
5 **Scottsdale, AZ 85259**

6 ☐ Hand-delivery on ____/____/____ (date)

7 ☐ First-Class Mail on ____/____/____ (date)

8 ☐ Service pursuant to the Rules of Civil Procedure applicable to a summons on
9 ____/____/____ (date).

10 12. Garnishee's contact information (Employer):

11 Company Name: Solar Industries, Inc.

12 Contact Name/Department: _____

13 Contact Address: _____

14 Contact Phone Number: _____

15 Contact Fax Number: _____

16 Contact Email Address: _____

17 13. An original completed Answer has been mailed or filed with the court located at:

18 ☐ Pima Justice Court
19 240 N. Stone Ave.
20 Tucson AZ 85701

21 14. I have read the foregoing document and know of my own knowledge that the facts stated
22 herein are true and correct.

23 WHEREFORE, Garnishee prays that the Court award Garnishee reasonable compensation in
the amount of \$_____, as reasonable amount for preparation and filing of this
Answer. Reasonable compensation is **not to exceed \$50.00**. Ariz. Rev. Stat. Ann. §12-
1598.15(D). This amount is in addition to the optional processing fee of \$5.00 per pay period,
allowed under Ariz. Rev. Stat Ann. §12-1598.15(E),

As Garnishee or Agent for Garnishee, I state under penalty of perjury the foregoing is true
and correct.

DATED: _____

Signature of Garnishee or Agent

Printed Name

Title

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 0
- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 0
- 1
- 2
- 3

- [] Hand deliver, Mail or Serve a copy to the Judgment Debtor.
NO OTHER METHODS OF DELIVERY WILL BE ACCEPTED
Judgment Debtor's address:

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- The court may reject an Answer of Garnishee that is not completed in its entirety.
- The plaintiff's attorney WILL object to an answer that is not completed correctly.
- Failure to complete and file this Answer may subject Garnishee to sanctions by the court.

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6 Attorneys for Plaintiff

7 **IN THE PIMA JUSTICE COURT OF PIMA COUNTY**
8 **THE STATE OF ARIZONA**
240 N. STONE AVE., TUCSON AZ 85701

9 **RJF FINANCIAL, LLC,**
10 **Plaintiff/Judgment Creditor,**

No. CV12000983

11 vs.

12 **MICHAEL P CURDO**
13 **Defendant/Judgment Debtor,**

ANSWER of GARNISHEE
(Earnings)

14 **SOLAR INDUSTRIES, INC.,**
Garnishee.

15 1. I am answering for Judgment Debtor: _____
16 (Copy this form and re-submit if you are answering for multiple Judgment Debtors)

17 2. 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 ____/____/____.

18 3. Was the Judgment Debtor employed by the Garnishee or classified as an independent
19 contractor on the *date the Writ was served* (if no, indicate last day of employment):
[] Yes [] No If NO, last day of employment: ____/____/____.

20 4. Does the Garnishee anticipate *owing earnings* (via W-2 or Form 1099) to the Judgment
21 Debtor within sixty (60) days after the *date of service of the Writ*?
[] Yes [] No

5. 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 reason for that inability: _____

6. The Writ of Garnishment was *served upon the Garnishee* (or its Statutory Agent) on this date: ____/____/____. State the dates of the Judgment Debtor's next two (2) paydays occurring immediately after the *date of the service of the Writ*:

6a. ____/____/____ 6b. ____/____/____

7. Is the Judgment Debtor employed, classified as an independent contractor, or otherwise receiving earnings from the Garnishee currently? ☐ Yes ☐ No

If YES, Judgment Debtor is paid (check which apply):

☐ Daily ☐ Biweekly ☐ Monthly
☐ Weekly ☐ Semi-Monthly ☐ Other _____

8. The *current* amount of the outstanding Judgment now due and owing as stated in the Writ is: \$2,234.49, with Court awarded interest currently accruing at \$0.3166 per day.

9. Is the Judgment Debtor subject to an existing wage assignment, garnishment or levy?
☐ Yes ☐ No. If YES, provide case information:

Creditor: _____

Creditor: _____

Court: _____

Court: _____

Case Number: _____

Case Number: _____

10. Did Garnishee answer "yes" to either question #3 or #4? ☐ Yes ☐ No.

If YES, copies of this Answer and copies of the Notice to Judgment Debtor, Request for Hearing and Non-Exempt Earnings Statement were delivered to the **Judgment Debtor** by: (choose one)

☐ Hand-delivery on ____/____/____ (date)

☐ First-Class Mail on ____/____/____ (date), at the address below:

(Judgment Debtor Address)

(City, State, Zip)

☐ Service pursuant to the Rules of Civil Procedure applicable to a summons on

____/____/____ (date).

Delivery to the Judgment Debtor **must** be made using a method specified here. **Delivery by email is not permitted.** A.R.S. §12-1598(2).

1 11. Copies of this Answer and Non-Exempt Earnings Statement were delivered to the
2 Judgment Creditor's attorney at the following address by: (choose one)

3 Law Office of James R. Vaughan
11445 E. Via Linda, Ste. 2-610
Scottsdale, AZ 85259

4 ☐ Hand-delivery on ____/____/____ (date)

5 ☐ First-Class Mail on ____/____/____ (date)

6 ☐ Service pursuant to the Rules of Civil Procedure applicable to a summons on
____/____/____ (date).

7 12. Garnishee's contact information (Employer):

8 Company Name: Solar Industries, Inc.

9 Contact Name/Department: _____

10 Contact Address: _____

11 Contact Phone Number: _____

12 Contact Fax Number: _____

13 Contact Email Address: _____

14 13. An original completed Answer has been mailed or filed with the court located at:

15 ☐ Pima Justice Court
240 N. Stone Ave.
Tucson AZ 85701

16 14. I have read the foregoing document and know of my own knowledge that the facts stated
17 herein are true and correct.

18 WHEREFORE, Garnishee prays that the Court award Garnishee reasonable compensation in
19 the amount of \$_____, as reasonable amount for preparation and filing of this
20 Answer. Reasonable compensation is *not to exceed \$50.00*. Ariz. Rev. Stat. Ann. §12-
21 1598.15(D). This amount is in addition to the optional processing fee of \$5.00 per pay period,
22 allowed under Ariz. Rev. Stat Ann. §12-1598.15(E),

23 As Garnishee or Agent for Garnishee, I state under penalty of perjury the foregoing is true
and correct.

DATED: _____

Signature of Garnishee or Agent

Printed Name

Title

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1 Law Office of James R. Vaughan, P.C.
Eric W. Logvin, SBN 028050
2 Brian K. Partridge, SBN 028090
Lindsey O. Stearns, SBN 028216
3 James R. Vaughan, SBN 016809
11445 E. Via Linda, Ste. 2-610
4 Scottsdale, AZ 85259
Telephone 602-279-0778
5 Fax 602-279-0788
Email: attorney@phoenixatty.com
6 Attorneys for Plaintiff-Judgment Creditor

7 **IN THE PIMA JUSTICE COURT OF PIMA COUNTY**
8 **THE STATE OF ARIZONA**
240 N. STONE AVE., TUCSON AZ 85701

9 **RJF FINANCIAL, LLC,**
10 **Plaintiff/Judgment Creditor,**
11 **vs.**
12 **MICHAEL P CURDO,**
Defendant / Judgment Debtor,
13 **SOLAR INDUSTRIES, INC.,**
14 **Garnishee.**

No. CV12000983

GARNISHEE/EMPLOYER'S
NOTICE TO JUDGMENT
DEBTOR
(Earnings)

15 **NOTICE TO JUDGMENT DEBTOR**

16 This is your second notice that a Writ of Garnishment has been issued in this case. The
17 Writ is a Court order requiring the Garnishee to withhold a certain amount from your earnings
18 and to continue to do so until the Judgment is satisfied or the Writ is quashed.

19 The law provides that a certain amount of each paycheck, or other periodic earnings, is
20 exempt from collection by a Writ of Garnishment. In some cases of very low-income no amount
21 can be garnished except for an order for support of a person.
22
23

1 If you believe that too much of your earnings have been withheld from your paycheck, or
2 that no amount should be withheld, you may request a hearing before this Court.

3 Among the reason for requesting a hearing are:

- 4 1. The Judgment Creditor does not have a valid Judgment or you have paid it in
5 full.
- 6 2. The Garnishee's Answer is incorrect.
- 7 3. Your earnings are already subject to a Writ of Garnishment or are subject to a
8 Court order assignment for payment of support.

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

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

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

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

22 //

1 money is withheld from your earnings pursuant to this Garnishment at some time in the future,
2 you will have the same opportunity to request a hearing at that time.

3
4 **WARNING:** You waive your right to a hearing on the monies withheld in this pay
5 period unless you file this request for hearing within ten (10) days after receiving the Garnishee's
6 Answer or show good cause for the late filing of this request.

7
8 _____
9 Date

Signature of Garnishee/Employer

1 Law Office of James R. Vaughan, P.C.
Eric W. Logvin, SBN 028050
2 Brian K. Partridge, SBN 028090
Lindsey O. Stearns, SBN 028216
3 James R. Vaughan, SBN 016809
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4 Scottsdale, AZ 85259
Telephone 602-279-0778
5 Fax 602-279-0788
Email: attorney@phoenixatty.com
6 Attorneys for Plaintiff-Judgment Creditor

7 **IN THE PIMA JUSTICE COURT OF PIMA COUNTY**
THE STATE OF ARIZONA
8 **240 N. STONE AVE., TUCSON AZ 85701**

9 **RJF FINANCIAL, LLC,**
Plaintiff/Judgment Creditor,
10
11 **vs.**
12 **MICHAEL P CURDO,**
Defendant / Judgment Debtor,
13 **SOLAR INDUSTRIES, INC.,**
Garnishee.
14

No. CV12000983

GARNISHEE/EMPLOYER'S
NOTICE TO JUDGMENT
DEBTOR
(Earnings)

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18 and to continue to do so until the Judgment is satisfied or the Writ is quashed.

19 The law provides that a certain amount of each paycheck, or other periodic earnings, is
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21 can be garnished except for an order for support of a person.
22
23

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2 that no amount should be withheld, you may request a hearing before this Court.

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5 full.
- 6 2. The Garnishee's Answer is incorrect.
- 7 3. Your earnings are already subject to a Writ of Garnishment or are subject to a
8 Court order assignment for payment of support.

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

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

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

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

22 //

1 money is withheld from your earnings pursuant to this Garnishment at some time in the future,
2 you will have the same opportunity to request a hearing at that time.

3
4 **WARNING:** You waive your right to a hearing on the monies withheld in this pay
5 period unless you file this request for hearing within ten (10) days after receiving the Garnishee's
6 Answer or show good cause for the late filing of this request.

7
8 _____
9 Date

Signature of Garnishee/Employer

1 Law Office of James R. Vaughan, P.C.
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2 Brian K. Partridge, SBN 028090
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3 James R. Vaughan, SBN 016809
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4 Scottsdale, AZ 85259
Telephone 602-279-0778
5 Fax 602-279-0788
Email: attorney@phoenixatty.com
6 Attorneys for Plaintiff-Judgment Creditor

7 **IN THE PIMA JUSTICE COURT OF PIMA COUNTY**
8 **THE STATE OF ARIZONA**
240 N. STONE AVE., TUCSON AZ 85701

9 **RJF FINANCIAL, LLC,**
10 **Plaintiff/Judgment Creditor,**

No. CV12000983

11 vs.

REQUEST FOR
HEARING ON GARNISHMENT

12 **MICHAEL P CURDO,**
13 **Defendant / Judgment Debtor,**

14 **SOLAR INDUSTRIES, INC.,**
Garnishee.

15 **I REQUEST A HEARING BECAUSE:**

16 _____ My employer has not delivered to me the Notice to Judgment Debtor Answer of
17 _____ Garnishee and Request for Hearing forms within fifteen days of service of the Writ of
Earnings.

18 _____ The Garnishee's Answer is incorrect.

19 _____ My earnings are already subject to a Writ of Garnishment or Court ordered assignment for
20 _____ payment of support.

21 _____ The Judgment Creditor does not have a valid Judgment against me, or that Judgment has
22 _____ been paid in full.

1 The garnishment deduction of 25% would create a hardship for me and my family;
2 however, in lieu of a hearing, I agree to have the plaintiff reduce the garnishment
3 deduction to the statutory minimum of 15% in their Order for Continuing Lien. Upon
4 Plaintiff filing an Order for Continuing Lien reducing the garnishment deduction to 15%,
5 I would like the court to please vacate any scheduled hearings. *NOTE: the judgment
6 debtor is to call the Plaintiff's attorney to arrange the 15% reduction prior to requesting
7 the hearing with the court.*

8 The debt of the judgment creditor is subject to an effective agreement for debt scheduling
9 between me and a qualified debt counseling organization.

10 Other: _____
11 _____
12 _____

13 _____
14 Signature of Judgment Debtor

15 _____
16 Name of Judgment Debtor (Print)

17 _____
18 Date

19 _____
20 Mailing Address

21 _____
22 City, State and Zip Code

23 _____
Telephone Number

WARNING: You waive the 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.

Delivery instructions for this form are on the next page.

ATTENTION DEFENDANT / JUDGMENT DEBTOR:

**PLEASE DO THE FOLLOWING THINGS WITH YOUR
REQUEST FOR HEARING FORM:**

1. Mail or File the ORIGINAL Request for Hearing to the Court at:
Pima Justice Court
240 N. Stone Ave.
Tucson AZ 85701

2. Mail a copy to the Plaintiff's Attorney at:
Law Office of James R. Vaughan, P.C.
11445 E. Via Linda, Ste. 2-610
Scottsdale, AZ 85259

3. Mail a copy to the Garnishee (Employer).
Solar Industries, Inc.
Suzanne L Brei, Brei Law Firm
4574 N First Avenue #150
Tucson AZ 85718

**IF YOU HAVE QUESTIONS ABOUT THE GARNISHMENT, JUDGMENT BALANCE,
OR ANYTHING ELSE, PLEASE CALL TOLL-FREE 866-833-9411, EXTENSION 3**

1 Law Office of James R. Vaughan, P.C.
Eric W. Logvin, SBN 028050
2 Brian K. Partridge, SBN 028090
Lindsey O. Stearns, SBN 028216
3 James R. Vaughan, SBN 016809
11445 E. Via Linda, Ste. 2-610
4 Scottsdale, AZ 85259
Telephone 602-279-0778
5 Fax 602-279-0788
Email: attorney@phoenixatty.com
6 Attorneys for Plaintiff-Judgment Creditor

7 **IN THE PIMA JUSTICE COURT OF PIMA COUNTY**
8 **THE STATE OF ARIZONA**
240 N. STONE AVE., TUCSON AZ 85701

9 **RJF FINANCIAL, LLC,**
10 **Plaintiff/Judgment Creditor,**

No. CV12000983

11 vs.

REQUEST FOR
HEARING ON GARNISHMENT

12 **MICHAEL P CURDO,**
13 **Defendant / Judgment Debtor,**

14 **SOLAR INDUSTRIES, INC.,**
Garnishee.

15 **I REQUEST A HEARING BECAUSE:**

16 _____ My employer has not delivered to me the Notice to Judgment Debtor Answer of
17 Garnishee and Request for Hearing forms within fifteen days of service of the Writ of
Earnings.

18 _____ The Garnishee's Answer is incorrect.

19 _____ My earnings are already subject to a Writ of Garnishment or Court ordered assignment for
20 payment of support.

21 _____ The Judgment Creditor does not have a valid Judgment against me, or that Judgment has
22 been paid in full.

1 The garnishment deduction of 25% would create a hardship for me and my family;
2 however, in lieu of a hearing, I agree to have the plaintiff reduce the garnishment
3 deduction to the statutory minimum of 15% in their Order for Continuing Lien. Upon
4 Plaintiff filing an Order for Continuing Lien reducing the garnishment deduction to 15%,
5 I would like the court to please vacate any scheduled hearings. *NOTE: the judgment
6 debtor is to call the Plaintiff's attorney to arrange the 15% reduction prior to requesting
7 the hearing with the court.*

8 The debt of the judgment creditor is subject to an effective agreement for debt scheduling
9 between me and a qualified debt counseling organization.

10 Other: _____
11 _____
12 _____
13 _____
14 _____
15 _____

16 Signature of Judgment Debtor

16 Name of Judgment Debtor (Print)

17 Date

17 Mailing Address

18 City, State and Zip Code

19 Telephone Number

20 **WARNING:** You waive the right to a hearing on the monies withheld in this pay period unless
21 you file this Request for Hearing within ten (10) days after receiving the Garnishee's Answer or
22 show good cause for filing the request late.

23 Delivery instructions for this form are on the next page.

ATTENTION DEFENDANT / JUDGMENT DEBTOR:

**PLEASE DO THE FOLLOWING THINGS WITH YOUR
REQUEST FOR HEARING FORM:**

1. Mail or File the ORIGINAL Request for Hearing to the Court at:
Pima Justice Court
240 N. Stone Ave.
Tucson AZ 85701

2. Mail a copy to the Plaintiff's Attorney at:
Law Office of James R. Vaughan, P.C.
11445 E. Via Linda, Ste. 2-610
Scottsdale, AZ 85259

3. Mail a copy to the Garnishee (Employer).
Solar Industries, Inc.
Suzanne L Brei, Brei Law Firm
4574 N First Avenue #150
Tucson AZ 85718

**IF YOU HAVE QUESTIONS ABOUT THE GARNISHMENT, JUDGMENT BALANCE,
OR ANYTHING ELSE, PLEASE CALL TOLL-FREE 866-833-9411, EXTENSION 3**



**NON-EXEMPT EARNINGS STATEMENT
(JUDGMENT NOT FOR SUPPORT)**

Court Case Number: CV12000983

Court Name: Pima Justice Court	Garnishee (Employer):
Court Address: 240 N. Stone Ave.	Address:
City, State, Zip: Tucson AZ 85701	City, State, Zip:
Court Phone: (520)724-3171	Phone:
Plaintiff: RJF Financial, LLC	Defendant:
Attorney: Law Office of James R. Vaughan, P.C.	Address:
Address: 11445 E. Via Linda, Ste. 2-610	City, State, Zip:
City, State, Zip: Scottsdale, AZ 85259	Phone:
Phone: 602-279-0778	
Email: attorney@phoenixatty.com	

This Nonexempt Earnings Statement covers the pay period of: _____ to _____.

1. Is the Judgment Debtor currently employed, classified as an independent contractor, or otherwise owed earnings?	<input type="checkbox"/> Yes <input type="checkbox"/> No
If No, give the judgment debtor's last date of employment or the last date for which earnings are owed.	Date: _____
2. For the earnings of the Judgment Debtor for this pay period, enter all of the following:	
(a) Enter the Judgment debtor's gross earnings (pre-tax) for this pay period	2(a) \$ _____
(b) Enter the Judgment debtor's disposable earnings (gross minus deductions required by law)	2(b) \$ _____
(c) 25% of line 2(b) (or other percentage ordered by the Court)	2(c) \$ _____
3. The current Federal minimum wage is \$7.25 per hour. Mark the judgment debtor's pay period below, then enter the applicable exemption amount to the right. <input type="checkbox"/> Daily (factor of 6), Exemption of \$43.50 <input type="checkbox"/> Weekly (factor of 30), Exemption of \$217.50 <input type="checkbox"/> Biweekly (factor of 60), Exemption of \$435.00 <input type="checkbox"/> Semimonthly (factor of 65), Exemption of \$471.25 <input type="checkbox"/> Monthly (factor of 130), Exemption of \$942.50	Write Exemption Amount: 3. \$ _____
4. Subtract Line 3 from Line 2(b) and enter. (line 2(b) minus line 3)	4. \$ _____
5. Enter Line 2(c) or line 4, whichever is <i>smaller</i> .	5. \$ _____
6. Amount withheld for other court-ordered support of a person, other prior garnishment, or levy for collection of taxes	6. \$ _____
7. Subtract line 6 from line 5 and enter here. (line 5 minus line 6)	7. \$ _____
8. Line 7 minus employer's optional \$5.00 processing fee This is the amount of non-exempt earnings you are to withhold from the judgment debtor's paycheck upon service of a Writ of Garnishment for Earnings. You must mail this statement to the Judgment Creditor for <i>every earnings period</i> . When the court has entered a Continuing Lien, you must forward all withheld amounts to the creditor.	8. \$ _____
Copy provided to judgment debtor on: _____ By: <input type="checkbox"/> Mail or Hand delivery.	Copy provided to judgment creditor on: _____ By: Mail Fax to 602-279-0788

_____ Date Signed	_____ Signature of Garnishee or its Authorized Agent	_____ Signer's Name and Title
----------------------	--	----------------------------------

Non Exempt Earnings Statement INSTRUCTIONS

UNOFFICIAL EXECUTIVE SUMMARY OF ARIZONA WAGE GARNISHMENTS

Wages and earnings are garnishable. §12-1598(4) defines "earnings" broadly to include all forms of compensation. The garnishment amount is 25% of the statutory net disposable earnings of debtor. Computing the amount is a function of a statutorily approved formula in the preceding 1-page form referred to as the Non Exempt Earnings Statement (NEES), which requires the employer-garnishee to state the gross earnings and "disposable earnings" and perform specifically prescribed calculations. The first calculation is to enter 25% of the "disposable earnings." Next, the Federal minimum wage is calculated for the subject payroll period (30 times the minimum wage for weekly payroll, 60 times for bi-weekly, which is an every-other Friday paycheck, and 65 times for semi-monthly payroll). That calculated minimum wage sum is subtracted from the disposable earnings, and that amount is compared to the 25% of net sum, and the smaller of the two sums is the sum to be used for the next calculation. At this point, any prior court ordered levies, support orders, or other wage assignments are subtracted. From this amount, the Garnishee may deduct an optional \$5.00 processing fee. The remaining balance must be held and paid over to the judgment creditor. **You must send a copy of the Non-Exempt Earnings Statement to the Creditor with your Answer. Don't send the Non-Exempt Earnings Statement to the Court unless your employee requests a hearing, in which case you must file the Non-Exempt Earnings Statement with the Court.**

OFFICIAL INSTRUCTIONS for GARNISHEE'S NONEXEMPT EARNINGS STATEMENT (Judgment Not for Support of a Person)

WARNING !

ALL PARTIES TO A GARNISHMENT ARE STRONGLY URGED TO OBTAIN LEGAL ADVICE FROM AN ATTORNEY. Garnishment procedures are governed by Arizona law and are extremely complicated. All parties involved must follow these laws and procedures correctly. The Court may issue an order for monetary penalties against any party who does not proceed properly, including the garnishee.

TO COMPLETE GARNISHEE'S NONEXEMPT EARNINGS STATEMENT. YOU WILL NEED:

- The judgment debtor's employment history and pay period information.
- Information from the Writ of Garnishment.
- Copies of any other garnishments, wage assignments (Orders of Assignment) or liens pending against the same judgment debtor in your possession.
- Information from the Order of Continuing Lien, if one has been issued.

TYPE OR PRINT NEATLY USING **BLACK INK**. Match each numbered item in the instructions with the same numbered item on the Nonexempt Earnings Statement.

The top portion of the statement is known as the caption. You must complete this portion if it is not already filled in.

Referencing the Writ of Garnishment, type or print the court case number.

Type or print the name, mailing address, and, if known, phone number(s) of the plaintiff as it appears on the Writ of Garnishment.

Type or print the name, mailing address and, if known, phone number(s) of the defendant-judgment debtor as it appears on the Writ of Garnishment.

Type or print the garnishee's name, mailing address and phone number.

Type or print the Court Name, County, the Superior Court or the name of the municipal court or the Justice Court precinct and the name of the city or town in which the garnishment action is pending.

Type or print the first and last date of the pay period covered by this Nonexempt Earnings Statement.

Question 1: Check the box that indicates whether the judgment debtor is in your employ, classified as an independent contractor, or otherwise owed earnings.

If you checked, "no" to Question 1, type or print the date on which the judgment debtor last worked for you.

Non Exempt Earnings Statement INSTRUCTIONS

Question 2: Check the box that indicates whether the judgment debtor is owed any earnings during this pay period.
Even if no monies were earned by the judgment debtor in this pay period, you must still complete the Withholding Worksheet.

Question 2(a): Type or print the amount of gross earnings (pre-tax) which the judgment debtor earned during the pay period covered by this Nonexempt Earnings Statement.

Question 2(b): Type or print the amount of disposable earnings (gross minus deductions required by law) which the judgment debtor earned during the pay period covered by this Nonexempt Earnings Statement.

Question 2(c): Multiply the amount in line 2(b) by 25%. If an Order of Continuing Lien directs you to apply a different percentage, multiply the amount in line 2(b) by that percentage. Type or print the result here.

Question 3: Check the box that identifies judgment debtor's pay period. [The current Arizona Minimum wage is greater than or equal to the federal Minimum Wage. We use the amount that gives the judgment debtor greater protection.] The current Arizona or federal minimum wage has been provided for you. This information is available online from the United States Department of Labor or by calling toll free: 1-866-487-2365. Multiply the minimum wage by the factor notated next to the checkbox. For example, if the judgment debtor's pay period is weekly, then multiply the Arizona or federal minimum wage by 30 to get your result. If the pay period is monthly, multiply by 130.

Question 4: Subtract line 3 from line 2(b) and type or print the result here.

Question 5: Type or print the amount appearing at line 4 or line 2(c), whichever is smaller.

Question 6: Type or print the total amount, if any, which you are withholding from this judgment debtor's earnings pursuant to court-ordered assignments for support of a person, other garnishments or levies for collection of taxes.

Question 7: Subtract line 6 from line 5 and type or print the result here.

Question 8: Line 7 Minus employer's optional \$5.00 processing fee. This is the amount of non-exempt earnings you are to withhold from the Judgment debtor's paycheck upon serve of a Writ of Garnishment for Earnings.

Complete the information under this box indicating the date and manner in which you will provide the judgment debtor with a copy of this Nonexempt Earnings Statement.

Complete the information under this box indicating the date and manner in which you will provide the judgment creditor with a copy of this Nonexempt Earnings Statement.

Date and sign this Nonexempt Earnings Statement where indicated.

When you have completed the Nonexempt Earnings Statement, follow the Instructions to the Garnishee (Earnings) (Arizona Supreme Court Form 5). The statutes that follow may assist your understanding of your duties concerning garnishment. These statutes are **not** part of the Supreme Court's official forms, and please keep in mind that we are **not** providing the garnishee-employer or institution with any legal advice.

Arizona Revised Statutes §12-1598.11. Continuing lien procedure; nonexempt earnings statement

A. An order of continuing lien on nonexempt earnings entered pursuant to this article requires the garnishee to continue to withhold the nonexempt earnings of the judgment debtor for as long as the continuing lien remains in effect.

B. Beginning with the pay period during which the writ was served, and while the continuing lien remains in effect, for each pay period **the garnishee shall do** the following:

1. Complete the nonexempt earnings statement.
2. **Deliver the nonexempt earnings statement to the judgment debtor** with his exempt earnings for that pay period.
3. **At the same time deliver a copy of the nonexempt earnings statement to the judgment creditor or his attorney.**

C. After the entry of an order of continuing lien pursuant to section 12-1598.10, and for each pay period thereafter, **the garnishee shall deliver the nonexempt earnings to the judgment creditor or his attorney, together with the nonexempt earnings statement.**

D. Neither the original nor a copy of the nonexempt earnings statement shall be filed with the court unless an objection to the amount withheld, if any, is timely filed by a party.

**Non Exempt Earnings Statement
INSTRUCTIONS**

E. The judgment creditor shall deliver to the garnishee sufficient copies of the appropriate nonexempt earnings statement and request for hearing forms so that the garnishee is able to comply with the requirements of this section, unless the judgment creditor is advised that the garnishee will supply its own forms.

Arizona Revised Statutes §12-1598.13. Contempt proceedings; default of garnishee ...

F. While an order of continuing lien pursuant to section 12-1598.10 is in effect, if the garnishee fails to deliver to the judgment creditor the nonexempt earnings of the judgment debtor, if any, **and** the copy of the nonexempt earnings statement within fourteen days of the end of the pertinent pay period, **and** the judgment creditor thereafter delivers a written demand for the nonexempt earnings and statement, **and** the garnishee does not comply within fourteen days of the receipt of the written demand, **the judgment creditor** may 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 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 the failure to comply.
2. **Reasonable attorney fees**, if the judgment creditor was represented by an attorney at such hearing.
3. **Court costs**. The court may award the judgment creditor an additional amount not to exceed four hundred dollars. ...

G **If a garnishee fails to answer** within the time specified in the writ, the party for whom the writ has been issued may petition the court for the issuance of an order requiring the garnishee to appear before the court at a time and place specified in the order to answer the writ or to file and serve 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, at least five days before the appearance date. If the garnishee fails to appear or file and serve the answer after the service of the order requiring the appearance in person or answer on the garnishee, the court may render judgment by **default against the garnishee for the full amount of the judgment** against the judgment debtor. The court may award a reasonable attorney's fee to the party for whom the writ was issued and against the garnishee **if the writ was not answered within the time specified in the writ and a petition requiring the garnishee to appear or answer was filed as provided in this section.**



**NON-EXEMPT EARNINGS STATEMENT
(JUDGMENT NOT FOR SUPPORT)**

Court Case Number: CV12000983

Court Name: Pima Justice Court	Garnishee (Employer):
Court Address: 240 N. Stone Ave.	Address:
City, State, Zip: Tucson AZ 85701	City, State, Zip:
Court Phone: (520)724-3171	Phone:
Plaintiff: RJF Financial, LLC	Defendant:
Attorney: Law Office of James R. Vaughan, P.C.	Address:
Address: 11445 E. Via Linda, Ste. 2-610	City, State, Zip:
City, State, Zip: Scottsdale, AZ 85259	Phone:
Phone: 602-279-0778	
Email: attorney@phoenixatty.com	

This Nonexempt Earnings Statement covers the pay period of: _____ to _____.

1. Is the Judgment Debtor currently employed, classified as an independent contractor, or otherwise owed earnings?	<input type="checkbox"/> Yes <input type="checkbox"/> No
If No, give the judgment debtor's last date of employment or the last date for which earnings are owed.	Date: _____
2. For the earnings of the Judgment Debtor for this pay period, enter all of the following:	
(a) Enter the Judgment debtor's gross earnings (pre-tax) for this pay period	2(a) \$ _____
(b) Enter the Judgment debtor's disposable earnings (gross minus deductions required by law)	2(b) \$ _____
(c) 25% of line 2(b) (or other percentage ordered by the Court)	2(c) \$ _____
3. The current Federal minimum wage is \$7.25 per hour. Mark the judgment debtor's pay period below, then enter the applicable exemption amount to the right. <input type="checkbox"/> Daily (factor of 6), Exemption of \$43.50 <input type="checkbox"/> Weekly (factor of 30), Exemption of \$217.50 <input type="checkbox"/> Biweekly (factor of 60), Exemption of \$435.00 <input type="checkbox"/> Semimonthly (factor of 65), Exemption of \$471.25 <input type="checkbox"/> Monthly (factor of 130), Exemption of \$942.50	Write Exemption Amount: 3. \$ _____
4. Subtract Line 3 from Line 2(b) and enter. (line 2(b) minus line 3)	4. \$ _____
5. Enter Line 2(c) or line 4, whichever is smaller .	5. \$ _____
6. Amount withheld for other court-ordered support of a person, other prior garnishment, or levy for collection of taxes	6. \$ _____
7. Subtract line 6 from line 5 and enter here. (line 5 minus line 6)	7. \$ _____
8. Line 7 minus employer's optional \$5.00 processing fee This is the amount of non-exempt earnings you are to withhold from the judgment debtor's paycheck upon service of a Writ of Garnishment for Earnings. You must mail this statement to the Judgment Creditor for every earnings period . When the court has entered a Continuing Lien, you must forward all withheld amounts to the creditor.	8. \$ _____
Copy provided to judgment debtor on: _____ By: <input type="checkbox"/> Mail or Hand delivery.	Copy provided to judgment creditor on: _____ By: Mail Fax to 602-279-0788

Date Signed _____	Signature of Garnishee or its Authorized Agent _____	Signer's Name and Title _____
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Non Exempt Earnings Statement INSTRUCTIONS

UNOFFICIAL EXECUTIVE SUMMARY OF ARIZONA WAGE GARNISHMENTS

Wages and earnings are garnishable. §12-1598(4) defines "earnings" broadly to include all forms of compensation. The garnishment amount is 25% of the statutory net disposable earnings of debtor. Computing the amount is a function of a statutorily approved formula in the preceding 1-page form referred to as the Non Exempt Earnings Statement (NEES), which requires the employer-garnishee to state the gross earnings and "disposable earnings" and perform specifically prescribed calculations. The first calculation is to enter 25% of the "disposable earnings." Next, the Federal minimum wage is calculated for the subject payroll period (30 times the minimum wage for weekly payroll, 60 times for bi-weekly, which is an every-other Friday paycheck, and 65 times for semi-monthly payroll). That calculated minimum wage sum is subtracted from the disposable earnings, and that amount is compared to the 25% of net sum, and the smaller of the two sums is the sum to be used for the next calculation. At this point, any prior court ordered levies, support orders, or other wage assignments are subtracted. From this amount, the Garnishee may deduct an optional \$5.00 processing fee. The remaining balance must be held and paid over to the judgment creditor. **You must send a copy of the Non-Exempt Earnings Statement to the Creditor with your Answer. Don't send the Non-Exempt Earnings Statement to the Court unless your employee requests a hearing, in which case you must file the Non-Exempt Earnings Statement with the Court.**

OFFICIAL INSTRUCTIONS for GARNISHEE'S NONEXEMPT EARNINGS STATEMENT (Judgment Not for Support of a Person)

WARNING !

ALL PARTIES TO A GARNISHMENT ARE STRONGLY URGED TO OBTAIN LEGAL ADVICE FROM AN ATTORNEY. Garnishment procedures are governed by Arizona law and are extremely complicated. All parties involved must follow these laws and procedures correctly. The Court may issue an order for monetary penalties against any party who does not proceed properly, including the garnishee.

TO COMPLETE GARNISHEE'S NONEXEMPT EARNINGS STATEMENT. YOU WILL NEED:

- The judgment debtor's employment history and pay period information.
- Information from the Writ of Garnishment.
- Copies of any other garnishments, wage assignments (Orders of Assignment) or liens pending against the same judgment debtor in your possession.
- Information from the Order of Continuing Lien, if one has been issued.

TYPE OR PRINT NEATLY USING BLACK INK. Match each numbered item in the instructions with the same numbered item on the Nonexempt Earnings Statement.

*The top portion of the statement is known as the **caption**. You must complete this portion if it is not already filled in.*

Referencing the Writ of Garnishment, type or print the court case number.

Type or print the name, mailing address, and, if known, phone number(s) of the plaintiff as it appears on the Writ of Garnishment.

Type or print the name, mailing address and, if known, phone number(s) of the defendant-judgment debtor as it appears on the Writ of Garnishment.

Type or print the garnishee's name, mailing address and phone number.

Type or print the Court Name, County, the Superior Court or the name of the municipal court or the Justice Court precinct and the name of the city or town in which the garnishment action is pending.

Type or print the first and last date of the pay period covered by this Nonexempt Earnings Statement.

Question 1: Check the box that indicates whether the judgment debtor is in your employ, classified as an independent contractor, or otherwise owed earnings.

If you checked, "no" to Question 1, type or print the date on which the judgment debtor last worked for you.

Non Exempt Earnings Statement INSTRUCTIONS

Question 2: Check the box that indicates whether the judgment debtor is owed any earnings during this pay period. **Even if no monies were earned by the judgment debtor in this pay period, you must still complete the Withholding Worksheet.**

Question 2(a): Type or print the amount of gross earnings (pre-tax) which the judgment debtor earned during the pay period covered by this Nonexempt Earnings Statement.

Question 2(b): Type or print the amount of disposable earnings (gross minus deductions required by law) which the judgment debtor earned during the pay period covered by this Nonexempt Earnings Statement.

Question 2(c): Multiply the amount in line 2(b) by 25%. If an Order of Continuing Lien directs you to apply a different percentage, multiply the amount in line 2(b) by that percentage. Type or print the result here.

Question 3: Check the box that identifies judgment debtor's pay period. [The current Arizona Minimum wage is greater than or equal to the federal Minimum Wage. We use the amount that gives the judgment debtor greater protection.] The current Arizona or federal minimum wage has been provided for you. This information is available online from the United States Department of Labor or by calling toll free: 1-866-487-2365. Multiply the minimum wage by the factor notated next to the checkbox. For example, if the judgment debtor's pay period is weekly, then multiply the Arizona or federal minimum wage by 30 to get your result. If the pay period is monthly, multiply by 130.

Question 4: Subtract line 3 from line 2(b) and type or print the result here.

Question 5: Type or print the amount appearing at line 4 or line 2(c), whichever is smaller.

Question 6: Type or print the total amount, if any, which you are withholding from this judgment debtor's earnings pursuant to court-ordered assignments for support of a person, other garnishments or levies for collection of taxes.

Question 7: Subtract line 6 from line 5 and type or print the result here.

Question 8: Line 7 Minus employer's optional \$5.00 processing fee. This is the amount of non-exempt earnings you are to withhold from the Judgment debtor's paycheck upon serve of a Writ of Garnishment for Earnings.

Complete the information under this box indicating the date and manner in which you will provide the judgment debtor with a copy of this Nonexempt Earnings Statement.

Complete the information under this box indicating the date and manner in which you will provide the judgment creditor with a copy of this Nonexempt Earnings Statement.

Date and sign this Nonexempt Earnings Statement where indicated.

When you have completed the Nonexempt Earnings Statement, follow the Instructions to the Garnishee (Earnings) (Arizona Supreme Court Form 5). The statutes that follow may assist your understanding of your duties concerning garnishment. These statutes are **not** part of the Supreme Court's official forms, and please keep in mind that we are **not** providing the garnishee-employer or institution with any legal advice.

Arizona Revised Statutes §12-1598.11. Continuing lien procedure; nonexempt earnings statement

A. An order of continuing lien on nonexempt earnings entered pursuant to this article requires the garnishee to continue to withhold the nonexempt earnings of the judgment debtor for as long as the continuing lien remains in effect.

B. Beginning with the pay period during which the writ was served, and while the continuing lien remains in effect, for each pay period the garnishee shall do the following:

1. Complete the nonexempt earnings statement.
2. Deliver the nonexempt earnings statement to the judgment debtor with his exempt earnings for that pay period.
3. At the same time deliver a copy of the nonexempt earnings statement to the judgment creditor or his attorney.

C. After the entry of an order of continuing lien pursuant to section 12-1598.10, and for each pay period thereafter, the garnishee shall deliver the nonexempt earnings to the judgment creditor or his attorney, together with the nonexempt earnings statement.

D. Neither the original nor a copy of the nonexempt earnings statement shall be filed with the court unless an objection to the amount withheld, if any, is timely filed by a party.

**Non Exempt Earnings Statement
INSTRUCTIONS**

E. The judgment creditor shall deliver to the garnishee sufficient copies of the appropriate nonexempt earnings statement and request for hearing forms so that the garnishee is able to comply with the requirements of this section, unless the judgment creditor is advised that the garnishee will supply its own forms.

Arizona Revised Statutes §12-1598.13. Contempt proceedings; default of garnishee ...

F. While an order of continuing lien pursuant to section 12-1598.10 is in effect, if the garnishee fails to deliver to the judgment creditor the nonexempt earnings of the judgment debtor, if any, **and** the copy of the nonexempt earnings statement within fourteen days of the end of the pertinent pay period, **and** the judgment creditor thereafter delivers a written demand for the nonexempt earnings and statement, **and** the garnishee does not comply within fourteen days of the receipt of the written demand, **the judgment creditor** may 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 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 the failure to comply.
2. **Reasonable attorney fees**, if the judgment creditor was represented by an attorney at such hearing.
3. **Court costs**. The court may award the judgment creditor an additional amount not to exceed four hundred dollars. ...

G If a garnishee fails to answer within the time specified in the writ, the party for whom the writ has been issued may petition the court for the issuance of an order requiring the garnishee to appear before the court at a time and place specified in the order to answer the writ or to file and serve 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, at least five days before the appearance date. If the garnishee fails to appear or file and serve the answer after the service of the order requiring the appearance in person or answer on the garnishee, the court may render judgment by **default against the garnishee for the full amount of the judgment** against the judgment debtor. The court may award a reasonable attorney's fee to the party for whom the writ was issued and against the garnishee if the writ was not answered within the time specified in the writ and a **petition requiring the garnishee to appear or answer** was filed as provided in this section.



**NON-EXEMPT EARNINGS STATEMENT
(JUDGMENT NOT FOR SUPPORT)**

Court Case Number: CV12000983

Court Name: Pima Justice Court	Garnishee (Employer):
Court Address: 240 N. Stone Ave.	Address:
City, State, Zip: Tucson AZ 85701	City, State, Zip:
Court Phone: (520)724-3171	Phone:
Plaintiff: RJF Financial, LLC	Defendant:
Attorney: Law Office of James R. Vaughan, P.C.	Address:
Address: 11445 E. Via Linda, Ste. 2-610	City, State, Zip:
City, State, Zip: Scottsdale, AZ 85259	Phone:
Phone: 602-279-0778	
Email: attorney@phoenixatty.com	

This Nonexempt Earnings Statement covers the pay period of: _____ to _____.

1. Is the Judgment Debtor currently employed, classified as an independent contractor, or otherwise owed earnings?	<input type="checkbox"/> Yes <input type="checkbox"/> No
If No, give the judgment debtor's last date of employment or the last date for which earnings are owed.	Date: _____
2. For the earnings of the Judgment Debtor for this pay period, enter all of the following:	
(a) Enter the Judgment debtor's gross earnings (pre-tax) for this pay period	2(a) \$ _____
(b) Enter the Judgment debtor's disposable earnings (gross minus deductions required by law)	2(b) \$ _____
(c) 25% of line 2(b) (or other percentage ordered by the Court)	2(c) \$ _____
3. The current Federal minimum wage is \$7.25 per hour. Mark the judgment debtor's pay period below, then enter the applicable exemption amount to the right. <input type="checkbox"/> Daily (factor of 6), Exemption of \$43.50 <input type="checkbox"/> Weekly (factor of 30), Exemption of \$217.50 <input type="checkbox"/> Biweekly (factor of 60), Exemption of \$435.00 <input type="checkbox"/> Semimonthly (factor of 65), Exemption of \$471.25 <input type="checkbox"/> Monthly (factor of 130), Exemption of \$942.50	Write Exemption Amount: 3. \$ _____
4. Subtract Line 3 from Line 2(b) and enter. (line 2(b) minus line 3)	4. \$ _____
5. Enter Line 2(c) or line 4, whichever is <i>smaller</i> .	5. \$ _____
6. Amount withheld for other court-ordered support of a person, other prior garnishment, or levy for collection of taxes	6. \$ _____
7. Subtract line 6 from line 5 and enter here. (line 5 minus line 6)	7. \$ _____
8. Line 7 minus employer's optional \$5.00 processing fee This is the amount of non-exempt earnings you are to withhold from the judgment debtor's paycheck upon service of a Writ of Garnishment for Earnings. You must mail this statement to the Judgment Creditor for <i>every earnings period</i> . When the court has entered a Continuing Lien, you must forward all withheld amounts to the creditor.	8. \$ _____
Copy provided to judgment debtor on: _____ By: <input type="checkbox"/> Mail or Hand delivery.	Copy provided to judgment creditor on: _____ By: Mail Fax to 602-279-0788

Date Signed _____

Signature of Garnishee
or its Authorized Agent

Signer's Name and Title

Non Exempt Earnings Statement INSTRUCTIONS

UNOFFICIAL EXECUTIVE SUMMARY OF ARIZONA WAGE GARNISHMENTS

Wages and earnings are garnishable. §12-1598(4) defines "earnings" broadly to include all forms of compensation. The garnishment amount is 25% of the statutory net disposable earnings of debtor. Computing the amount is a function of a statutorily approved formula in the preceding 1-page form referred to as the Non Exempt Earnings Statement (NEES), which requires the employer-garnishee to state the gross earnings and "disposable earnings" and perform specifically prescribed calculations. The first calculation is to enter 25% of the "disposable earnings." Next, the Federal minimum wage is calculated for the subject payroll period (30 times the minimum wage for weekly payroll, 60 times for bi-weekly, which is an every-other Friday paycheck, and 65 times for semi-monthly payroll). That calculated minimum wage sum is subtracted from the disposable earnings, and that amount is compared to the 25% of net sum, and the smaller of the two sums is the sum to be used for the next calculation. At this point, any prior court ordered levies, support orders, or other wage assignments are subtracted. From this amount, the Garnishee may deduct an optional \$5.00 processing fee. The remaining balance must be held and paid over to the judgment creditor. **You must send a copy of the Non-Exempt Earnings Statement to the Creditor with your Answer. Don't send the Non-Exempt Earnings Statement to the Court unless your employee requests a hearing, in which case you must file the Non-Exempt Earnings Statement with the Court.**

OFFICIAL INSTRUCTIONS for GARNISHEE'S NONEXEMPT EARNINGS STATEMENT (Judgment Not for Support of a Person)

WARNING !

ALL PARTIES TO A GARNISHMENT ARE STRONGLY URGED TO OBTAIN LEGAL ADVICE FROM AN ATTORNEY. Garnishment procedures are governed by Arizona law and are extremely complicated. All parties involved must follow these laws and procedures correctly. The Court may issue an order for monetary penalties against any party who does not proceed properly, including the garnishee.

TO COMPLETE GARNISHEE'S NONEXEMPT EARNINGS STATEMENT. YOU WILL NEED:

- The judgment debtor's employment history and pay period information.
- Information from the Writ of Garnishment.
- Copies of any other garnishments, wage assignments (Orders of Assignment) or liens pending against the same judgment debtor in your possession.
- Information from the Order of Continuing Lien, if one has been issued.

TYPE OR PRINT NEATLY USING BLACK INK. Match each numbered item in the instructions with the same numbered item on the Nonexempt Earnings Statement.

*The top portion of the statement is known as the **caption**. You must complete this portion if it is not already filled in.*

Referencing the Writ of Garnishment, type or print the court case number.

Type or print the name, mailing address, and, if known, phone number(s) of the plaintiff as it appears on the Writ of Garnishment.

Type or print the name, mailing address and, if known, phone number(s) of the defendant-judgment debtor as it appears on the Writ of Garnishment.

Type or print the garnishee's name, mailing address and phone number.

Type or print the Court Name, County, the Superior Court or the name of the municipal court or the Justice Court precinct and the name of the city or town in which the garnishment action is pending.

Type or print the first and last date of the pay period covered by this Nonexempt Earnings Statement.

Question 1: Check the box that indicates whether the judgment debtor is in your employ, classified as an independent contractor, or otherwise owed earnings.

If you checked, "no" to Question 1, type or print the date on which the judgment debtor last worked for you.

Non Exempt Earnings Statement INSTRUCTIONS

Question 2: Check the box that indicates whether the judgment debtor is owed any earnings during this pay period.
Even if no monies were earned by the judgment debtor in this pay period, you must still complete the Withholding Worksheet.

Question 2(a): Type or print the amount of gross earnings (pre-tax) which the judgment debtor earned during the pay period covered by this Nonexempt Earnings Statement.

Question 2(b): Type or print the amount of disposable earnings (gross minus deductions required by law) which the judgment debtor earned during the pay period covered by this Nonexempt Earnings Statement.

Question 2(c): Multiply the amount in line 2(b) by 25%. If an Order of Continuing Lien directs you to apply a different percentage, multiply the amount in line 2(b) by that percentage. Type or print the result here.

Question 3: Check the box that identifies judgment debtor's pay period. [The current Arizona Minimum wage is greater than or equal to the federal Minimum Wage. We use the amount that gives the judgment debtor greater protection.] The current Arizona or federal minimum wage has been provided for you. This information is available online from the United States Department of Labor or by calling toll free: 1-866-487-2365. Multiply the minimum wage by the factor notated next to the checkbox. For example, if the judgment debtor's pay period is weekly, then multiply the Arizona or federal minimum wage by 30 to get your result. If the pay period is monthly, multiply by 130.

Question 4: Subtract line 3 from line 2(b) and type or print the result here.

Question 5: Type or print the amount appearing at line 4 or line 2(c), whichever is smaller.

Question 6: Type or print the total amount, if any, which you are withholding from this judgment debtor's earnings pursuant to court-ordered assignments for support of a person, other garnishments or levies for collection of taxes.

Question 7: Subtract line 6 from line 5 and type or print the result here.

Question 8: Line 7 Minus employer's optional \$5.00 processing fee. This is the amount of non-exempt earnings you are to withhold from the Judgment debtor's paycheck upon serve of a Writ of Garnishment for Earnings.

Complete the information under this box indicating the date and manner in which you will provide the judgment debtor with a copy of this Nonexempt Earnings Statement.

Complete the information under this box indicating the date and manner in which you will provide the judgment creditor with a copy of this Nonexempt Earnings Statement.

Date and sign this Nonexempt Earnings Statement where indicated.

When you have completed the Nonexempt Earnings Statement, follow the Instructions to the Garnishee (Earnings) (Arizona Supreme Court Form 5). The statutes that follow may assist your understanding of your duties concerning garnishment. These statutes are **not** part of the Supreme Court's official forms, and please keep in mind that we are **not** providing the garnishee-employer or institution with any legal advice.

Arizona Revised Statutes §12-1598.11. Continuing lien procedure; nonexempt earnings statement

A. An order of continuing lien on nonexempt earnings entered pursuant to this article requires the garnishee to continue to withhold the nonexempt earnings of the judgment debtor for as long as the continuing lien remains in effect.

B. Beginning with the pay period during which the writ was served, and while the continuing lien remains in effect, for each pay period the garnishee shall do the following:

1. Complete the nonexempt earnings statement.
2. **Deliver the nonexempt earnings statement to the judgment debtor with his exempt earnings for that pay period.**
3. **At the same time deliver a copy of the nonexempt earnings statement to the judgment creditor or his attorney.**

C. After the entry of an order of continuing lien pursuant to section 12-1598.10, and for each pay period thereafter, the garnishee shall deliver the nonexempt earnings to the judgment creditor or his attorney, together with the nonexempt earnings statement.

D. Neither the original nor a copy of the nonexempt earnings statement shall be filed with the court unless an objection to the amount withheld, if any, is timely filed by a party.

Non Exempt Earnings Statement INSTRUCTIONS

E. The judgment creditor shall deliver to the garnishee sufficient copies of the appropriate nonexempt earnings statement and request for hearing forms so that the garnishee is able to comply with the requirements of this section, unless the judgment creditor is advised that the garnishee will supply its own forms.

Arizona Revised Statutes §12-1598.13. Contempt proceedings; default of garnishee ...

F. While an order of continuing lien pursuant to section 12-1598.10 is in effect, if the garnishee fails to deliver to the judgment creditor the nonexempt earnings of the judgment debtor, if any, **and** the copy of the nonexempt earnings statement within fourteen days of the end of the pertinent pay period, **and** the judgment creditor thereafter delivers a written demand for the nonexempt earnings and statement, **and** the garnishee does not comply within fourteen days of the receipt of the written demand, **the judgment creditor** may 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 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 the failure to comply.
2. **Reasonable attorney fees**, if the judgment creditor was represented by an attorney at such hearing.
3. **Court costs.** The court may award the judgment creditor an additional amount not to exceed four hundred dollars....

G **If a garnishee fails to answer** within the time specified in the writ, the party for whom the writ has been issued **may petition the court for the issuance of an order requiring the garnishee to appear before the court at a time and place specified in the order to answer the writ** or to file and serve 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, at least five days before the appearance date. If the garnishee fails to appear or file and serve the answer after the service of the order requiring the appearance in person or answer on the garnishee, the court may render judgment by **default against the garnishee for the full amount of the judgment** against the judgment debtor. The court may award a reasonable attorney's fee to the party for whom the writ was issued and against the garnishee if the writ was not answered within the time specified in the writ and **a petition requiring the garnishee to appear or answer** was filed as provided in this section.



**NON-EXEMPT EARNINGS STATEMENT
(JUDGMENT NOT FOR SUPPORT)**

Court Case Number: CV12000983

Court Name: Pima Justice Court	Garnishee (Employer):
Court Address: 240 N. Stone Ave.	Address:
City, State, Zip: Tucson AZ 85701	City, State, Zip:
Court Phone: (520)724-3171	Phone:
Plaintiff: RJF Financial, LLC	Defendant:
Attorney: Law Office of James R. Vaughan, P.C.	Address:
Address: 11445 E. Via Linda, Ste. 2-610	City, State, Zip:
City, State, Zip: Scottsdale, AZ 85259	Phone:
Phone: 602-279-0778	
Email: attorney@phoenixatty.com	

This Nonexempt Earnings Statement covers the pay period of _____ to _____.

1. Is the Judgment Debtor currently employed, classified as an independent contractor, or otherwise owed earnings?	<input type="checkbox"/> Yes <input type="checkbox"/> No
If No, give the judgment debtor's last date of employment or the last date for which earnings are owed.	Date: _____
2. For the earnings of the Judgment Debtor for this pay period, enter all of the following:	
(a) Enter the Judgment debtor's gross earnings (pre-tax) for this pay period	2(a) \$ _____
(b) Enter the Judgment debtor's disposable earnings (gross minus deductions required by law)	2(b) \$ _____
(c) 25% of line 2(b) (or other percentage ordered by the Court)	2(c) \$ _____
3. The current Federal minimum wage is \$7.25 per hour. Mark the judgment debtor's pay period below, then enter the applicable exemption amount to the right. <input type="checkbox"/> Daily (factor of 6), Exemption of \$43.50 <input type="checkbox"/> Weekly (factor of 30), Exemption of \$217.50 <input type="checkbox"/> Biweekly (factor of 60), Exemption of \$435.00 <input type="checkbox"/> Semimonthly (factor of 65), Exemption of \$471.25 <input type="checkbox"/> Monthly (factor of 130), Exemption of \$942.50	Write Exemption Amount: 3. \$ _____
4. Subtract Line 3 from Line 2(b) and enter. (line 2(b) minus line 3)	4. \$ _____
5. Enter Line 2(c) or line 4, whichever is <i>smaller</i> .	5. \$ _____
6. Amount withheld for other court-ordered support of a person, other prior garnishment, or levy for collection of taxes	6. \$ _____
7. Subtract line 6 from line 5 and enter here. (line 5 minus line 6)	7. \$ _____
8. Line 7 minus employer's optional \$5.00 processing fee This is the amount of non-exempt earnings you are to withhold from the judgment debtor's paycheck upon service of a Writ of Garnishment for Earnings. You must mail this statement to the Judgment Creditor for <i>every earnings period</i> . When the court has entered a Continuing Lien, you must forward all withheld amounts to the creditor.	8. \$ _____
Copy provided to judgment debtor on: _____ By: <input type="checkbox"/> Mail or Hand delivery.	Copy provided to judgment creditor on: _____ By: Mail Fax to 602-279-0788

Date Signed _____	Signature of Garnishee or its Authorized Agent _____	Signer's Name and Title _____
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Non Exempt Earnings Statement INSTRUCTIONS

UNOFFICIAL EXECUTIVE SUMMARY OF ARIZONA WAGE GARNISHMENTS

Wages and earnings are garnishable. §12-1598(4) defines "earnings" broadly to include all forms of compensation. The garnishment amount is 25% of the statutory net disposable earnings of debtor. Computing the amount is a function of a statutorily approved formula in the preceding 1-page form referred to as the Non Exempt Earnings Statement (NEES), which requires the employer-garnishee to state the gross earnings and "disposable earnings" and perform specifically prescribed calculations. The first calculation is to enter 25% of the "disposable earnings." Next, the Federal minimum wage is calculated for the subject payroll period (30 times the minimum wage for weekly payroll, 60 times for bi-weekly, which is an every-other Friday paycheck, and 65 times for semi-monthly payroll). That calculated minimum wage sum is subtracted from the disposable earnings, and that amount is compared to the 25% of net sum, and the smaller of the two sums is the sum to be used for the next calculation. At this point, any prior court ordered levies, support orders, or other wage assignments are subtracted. From this amount, the Garnishee may deduct an optional \$5.00 processing fee. The remaining balance must be held and paid over to the judgment creditor. **You must send a copy of the Non-Exempt Earnings Statement to the Creditor with your Answer. Don't send the Non-Exempt Earnings Statement to the Court unless your employee requests a hearing, in which case you must file the Non-Exempt Earnings Statement with the Court.**

OFFICIAL INSTRUCTIONS for GARNISHEE'S NONEXEMPT EARNINGS STATEMENT (Judgment Not for Support of a Person)

WARNING !

ALL PARTIES TO A GARNISHMENT ARE STRONGLY URGED TO OBTAIN LEGAL ADVICE FROM AN ATTORNEY. Garnishment procedures are governed by Arizona law and are extremely complicated. All parties involved must follow these laws and procedures correctly. The Court may issue an order for monetary penalties against any party who does not proceed properly, including the garnishee.

TO COMPLETE GARNISHEE'S NONEXEMPT EARNINGS STATEMENT. YOU WILL NEED:

- The judgment debtor's employment history and pay period information.
- Information from the Writ of Garnishment.
- Copies of any other garnishments, wage assignments (Orders of Assignment) or liens pending against the same judgment debtor in your possession.
- Information from the Order of Continuing Lien, if one has been issued.

TYPE OR PRINT NEATLY USING BLACK INK. Match each numbered item in the instructions with the same numbered item on the Nonexempt Earnings Statement.

*The top portion of the statement is known as the **caption**. You must complete this portion if it is not already filled in.*

Referencing the Writ of Garnishment, type or print the court case number.

Type or print the name, mailing address, and, if known, phone number(s) of the plaintiff as it appears on the Writ of Garnishment.

Type or print the name, mailing address and, if known, phone number(s) of the defendant-judgment debtor as it appears on the Writ of Garnishment.

Type or print the garnishee's name, mailing address and phone number.

Type or print the Court Name, County, the Superior Court or the name of the municipal court or the Justice Court precinct and the name of the city or town in which the garnishment action is pending.

Type or print the first and last date of the pay period covered by this Nonexempt Earnings Statement.

Question 1: Check the box that indicates whether the judgment debtor is in your employ, classified as an independent contractor, or otherwise owed earnings.

If you checked, "no" to Question 1, type or print the date on which the judgment debtor last worked for you.

Non Exempt Earnings Statement INSTRUCTIONS

Question 2: Check the box that indicates whether the judgment debtor is owed any earnings during this pay period.
Even if no monies were earned by the judgment debtor in this pay period, you must still complete the Withholding Worksheet.

Question 2(a): Type or print the amount of gross earnings (pre-tax) which the judgment debtor earned during the pay period covered by this Nonexempt Earnings Statement.

Question 2(b): Type or print the amount of disposable earnings (gross minus deductions required by law) which the judgment debtor earned during the pay period covered by this Nonexempt Earnings Statement.

Question 2(c): Multiply the amount in line 2(b) by 25%. If an Order of Continuing Lien directs you to apply a different percentage, multiply the amount in line 2(b) by that percentage. Type or print the result here.

Question 3: Check the box that identifies judgment debtor's pay period. [The current Arizona Minimum wage is greater than or equal to the federal Minimum Wage. We use the amount that gives the judgment debtor greater protection.] The current Arizona or federal minimum wage has been provided for you. This information is available online from the United States Department of Labor or by calling toll free: **1-866-487-2365**. Multiply the minimum wage by the factor notated next to the checkbox. For example, if the judgment debtor's pay period is weekly, then multiply the Arizona or federal minimum wage by 30 to get your result. If the pay period is monthly, multiply by 130.

Question 4: Subtract line 3 from line 2(b) and type or print the result here.

Question 5: Type or print the amount appearing at line 4 or line 2(c), whichever is smaller.

Question 6: Type or print the total amount, if any, which you are withholding from this judgment debtor's earnings pursuant to court-ordered assignments for support of a person, other garnishments or levies for collection of taxes.

Question 7: Subtract line 6 from line 5 and type or print the result here.

Question 8: Line 7 Minus employer's optional \$5.00 processing fee. This is the amount of non-exempt earnings you are to withhold from the Judgment debtor's paycheck upon serve of a Writ of Garnishment for Earnings. Complete the information under this box indicating the date and manner in which you will provide the judgment debtor with a copy of this Nonexempt Earnings Statement.

Complete the information under this box indicating the date and manner in which you will provide the judgment creditor with a copy of this Nonexempt Earnings Statement.

Date and sign this Nonexempt Earnings Statement where indicated.

When you have completed the Nonexempt Earnings Statement, follow the Instructions to the Garnishee (Earnings) (Arizona Supreme Court Form 5). The statutes that follow may assist your understanding of your duties concerning garnishment. These statutes are **not** part of the Supreme Court's official forms, and please keep in mind that we are **not** providing the garnishee-employer or institution with any legal advice.

Arizona Revised Statutes §12-1598.11. Continuing lien procedure; nonexempt earnings statement

A. An order of continuing lien on nonexempt earnings entered pursuant to this article requires the garnishee to continue to withhold the nonexempt earnings of the judgment debtor for as long as the continuing lien remains in effect.

B. Beginning with the pay period during which the writ was served, and while the continuing lien remains in effect, for each pay period the **garnishee shall do** the following:

1. Complete the nonexempt earnings statement.
2. **Deliver the nonexempt earnings statement to the judgment debtor** with his exempt earnings for that pay period.
3. **At the same time deliver a copy of the nonexempt earnings statement to the judgment creditor or his attorney.**

C. After the entry of an order of continuing lien pursuant to section 12-1598.10, and for each pay period thereafter, **the garnishee shall deliver the nonexempt earnings to the judgment creditor or his attorney, together with the nonexempt earnings statement.**

D. **Neither the original nor a copy of the nonexempt earnings statement shall be filed with the court unless an objection to the amount withheld, if any, is timely filed by a party.**

**Non Exempt Earnings Statement
INSTRUCTIONS**

E. The judgment creditor shall deliver to the garnishee sufficient copies of the appropriate nonexempt earnings statement and request for hearing forms so that the garnishee is able to comply with the requirements of this section, unless the judgment creditor is advised that the garnishee will supply its own forms.

Arizona Revised Statutes §12-1598.13. Contempt proceedings; default of garnishee ...

F. While an order of continuing lien pursuant to section 12-1598.10 is in effect, if the garnishee fails to deliver to the judgment creditor the nonexempt earnings of the judgment debtor, if any, **and** the copy of the nonexempt earnings statement within fourteen days of the end of the pertinent pay period, **and** the judgment creditor thereafter delivers a written demand for the nonexempt earnings and statement, **and** the garnishee does not comply within fourteen days of the receipt of the written demand, **the judgment creditor** may 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 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 the failure to comply.
2. **Reasonable attorney fees**, if the judgment creditor was represented by an attorney at such hearing.
3. **Court costs**. The court may award the judgment creditor an additional amount not to exceed four hundred dollars. ...

G If a garnishee fails to answer within the time specified in the writ, the party for whom the writ has been issued may petition the court for the issuance of an order requiring the garnishee to appear before the court at a time and place specified in the order to answer the writ or to file and serve 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, at least five days before the appearance date. If the garnishee fails to appear or file and serve the answer after the service of the order requiring the appearance in person or answer on the garnishee, the court may render judgment by **default against the garnishee for the full amount of the judgment** against the judgment debtor. The court may award a reasonable attorney's fee to the party for whom the writ was issued and against the garnishee if the writ was not answered within the time specified in the writ and a petition requiring the garnishee to appear or answer was filed as provided in this section.

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Lindsey O. Stearns, SBN 028216
3 James R. Vaughan, SBN 016809
11445 E. Via Linda, Ste. 2-610
4 Scottsdale, AZ 85259
Telephone 602-279-0778
5 Fax 602-279-0788
Email: attorney@phoenixatty.com
6 Attorneys for Plaintiff-Judgment Creditor

7 **IN THE PIMA JUSTICE COURT OF PIMA COUNTY**
THE STATE OF ARIZONA
8 **240 N. STONE AVE., TUCSON AZ 85701**

9 **RJF FINANCIAL, LLC,**
Plaintiff/Judgment Creditor,

No. CV12000983

10 **vs.**

REQUEST for HEARING
(Earnings)

11 **MICHAEL P CURDO,**
12 **Defendant / Judgment Debtor,**

13 **SOLAR INDUSTRIES, INC.,**
14 **Garnishee.**

15 If you believe that the amount of your non-exempt earnings has been incorrectly
16 calculated for this pay period or that no amount should be withheld because the Garnishment or
17 underlying Judgment is invalid, satisfied or superseded, you may request a hearing within ten
18 (10) days after receiving the attached Non-Exempt Earnings Statement by completed this
19 Request for Hearing and delivering it to the Court. Deliver a copy of your Request for Hearing
20 to the Judgment Creditor and the Garnishee.

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

1 I request a hearing for the following reason:

2 _____ A copy of the nonexempt earnings statement did not accompany my paycheck.

3 _____ The nonexempt earnings statement is not filled out correctly.

4 _____ On my normal payday, I received no earnings (paycheck).

5 _____ The garnishment deduction of 25% would create a hardship for me and my family;
6 however, in lieu of a hearing, I agree to have the plaintiff reduce the garnishment
7 deduction to the statutory minimum of 15% in their Order for Continuing Lien. Upon
8 Plaintiff filing an Order for Continuing Lien reducing the garnishment deduction to 15%,
I would like the court to please vacate any scheduled hearings. *NOTE: the judgment
debtor is to call the Plaintiff's attorney to arrange the 15% reduction prior to requesting
the hearing with the court.*

9 _____ Other: _____
10 _____
11 _____

12 Michael P Curdo

13 _____
14 Date

15 _____
16 Signature of Judgment Debtor

17 _____
18 Mailing Address

19 _____
20 City, State, Zip Code

21 _____
22 Telephone Number

23 Delivery instructions for this form are on the following page.

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Tucson AZ 85701

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Scottsdale, AZ 85259

3. Mail a copy to the Garnishee (Employer).
Solar Industries, Inc.
Suzanne L Brei, Brei Law Firm
4574 N First Avenue #150
Tucson AZ 85718

**IF YOU HAVE QUESTIONS ABOUT THE GARNISHMENT, JUDGMENT BALANCE,
OR ANYTHING ELSE, PLEASE CALL TOLL-FREE 866-833-9411, EXTENSION 3**

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9 Other: _____
10 _____
11 _____

12 Michael P Curdo

13 _____
14 Date

15 _____
16 Signature of Judgment Debtor

17 _____
18 Mailing Address

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20 City, State, Zip Code

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No. CV12000983

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Corporate Inquiry

02/16/2016

State of Arizona Public Access System

3:22 PM

File Number: -0808994-8

Corp. Name: SOLAR INDUSTRIES, INC.

Domestic Address
PO BOX 27337

Second Address

TUCSON, AZ 85726

Agent: SUZANNE L BREI
Status: APPOINTED 03/29/2005
Mailing Address:
BREI LAW FIRM
4574 N. FIRST AVENUE #150

TUCSON, AZ 85718

Agent Last Updated: 09/16/2008

Business Type: MANUFACTURING

Domicile: ARIZONA

County: PIMA

Corporation Type: PROFIT

Life Period: PERPETUAL

Incorporation Date: 06/11/1997

Approval Date: 06/16/1997

Last A/R Received: 6 / 2015

Date A/R Entered: 06/02/2015

Next Report Due: 06/11/2016

INVALID KEY FUNCTION. (A058)

*Don
Foutz*

Tag Messenger
1027 E Washington St. Suite 100
Phoenix, AZ 85034
Ph: (602)254-3900

Pima Justice Court
240 N Stone Avenue, Tucson, AZ 85701

RJF Financial, LLC

Plaintiff,

vs.

NO. CV12000983

Michael P Curdo

CERTIFICATE OF NON -
SERVICE

Defendant,



359628

The undersigned certifies under penalty of perjury:

I received: Application for Writ of Garnishment; (2) Writ of Garnishment & Summons (Earnings); (2) Instructions to Garnishee (Earnings); (4) Garnishee's Answer (Earnings); (4) Notice of Hearing on Garnishment (Earnings); (2) Notice to Judgment Debtor of Garnishment (Earnings); (2) Request for Hearing on Garnishment (Earnings); (4) Garnishee's Nonexempt Earnings Statement; (4) Request for Hearing on Nonexempt Earnings Statement; (1) Judgment; Judgment Debtor Information Letter from Law Office of James R. Vaughan and have been unable to effect service upon

Solar Industries, Inc.

The following attempts at service were made:

Date/Time - License Plates	Address	Remarks
Tuesday 01/12/2016-11:12 AM	4574 N. First Ave. #150 Tucson, AZ 85718	Stat Agent was not in the office.
Wednesday 01/13/2016- 3:15 PM	4574 N. First Ave. #150 Tucson, AZ 85718	Attorney not in the office; paralegal stated she could accept on her behalf.
Friday 01/15/2016-10:39 AM	4574 N. First Ave. #150 Tucson, AZ 85718	Not in the office.

Comments/Prev. Attempts: Attempted to serve writ through Stat Agent/Suzanne L. Brel at the address listed for her per the ACC; This is a verified office location for agent, but she was not in on several attempts;
Location Type: Business

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

Signed on the 12 day of JANUARY, 2016

X
Diana Riggs
Pima County - PM471
Date of Last Attempt: 01/15/2016
Court Case#: CV12000983
Client Atty File#: 20072132

Fees:
Service of Process \$40.00
TOTAL: \$40.00

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

User Id: JBARKER
Invoice No.: 4984289

Check Batch:
Invoice Date: 02/16/2016
Date Received: 02/16/2016
Customer No.:

ATTN:
(CASH CUSTOMER)

Quantity	Description	Amount
1	SERVICE OF PROCESS -0808994-8 SOLAR INDUSTRIES, INC.	\$25.00
Total Documents: \$		25.00
CHECK	3366	\$25.00
PAYMENT		
Balance Due: \$		0.00

