

Collecting Your Judgment: A Step-By-Step Approach

YOUR LEGAL RIGHTS

Employees who win money judgments against their employers often need help collecting those judgments on their own or in court.

This packet provides a step-by-step explanation of how you can try to collect your successful judgment. Also attached are the forms you will need to follow these steps, and examples of correctly completed forms.

Step 1: Ask your employer to pay voluntarily.

To avoid the hassle and expense of formal collection, you should first ask your employer to pay your judgment voluntarily. This is a particularly important step if you believe your employer has the money to pay, or if maintaining a good relationship with your employer is important to you. To collect a judgment voluntarily you should follow these steps:

1. **Make an initial request for your money.**

You can do this in a letter, telephone call, or personal meeting. You should remind your employer of the judgment (including the amount), and ask to make arrangements to pay off your award. This may be all the prompting that your employer needs to give you the money owed to you.

2. **Send a final demand letter.**

If your employer does not respond to your first request for payment within a week to ten days, you should write a formal final demand letter. You should simply restate that a judgment has been entered in your favor, that you request payment of that judgment, and that if you do not receive such payment within a set period of time you will begin formal collection efforts. A sample formal demand letter is attached as [Form A](#).

If the above efforts to collect your judgment fail, you should begin formal collection procedures. To do so, you can use any or all of the legal enforcement tools discussed below.

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The Legal Aid Society of San Francisco
EMPLOYMENT LAW CENTER

Step 2: Obtain a business property lien.

What is a lien?

A “lien” is a legal tool that strengthens your judgment from a claim against your employer to a claim against the employer’s property or assets. A business property lien “attaches” to property belonging to your employer so that you have a claim against that property, and not just against your employer. That doesn’t mean your employer has to sell the property to pay off your judgment, but it does give you additional protection if your employer goes bankrupt, gets a new loan from the bank, tries to pay off a judgment to another person, or tries to sell off the property in the future.

To what kind of property can a lien attach?

A lien can attach to different types of property and assets owned by your employer. (See Step 4, below, to find out what your employer owns.) Types of property to which a lien might attach include:

- money that is owed to your employer because of business transactions (*accounts receivable*);
- documents, like car leases, showing that your employer owns a specific good but hasn’t paid for it in full (*chattel paper*);
- business equipment, like machines or computers;
- crops that have been harvested from a farm;
- inventory that sells for more than \$500 per unit; for example, if your employer is a car dealership, the cars would qualify, but if your employer is a small grocery store, the individual bottles of Pepsi would not.

How to Create a Business Property Lien

1. **Complete a Notice of Judgment Lien.** A sample Notice of Judgment Lien form is attached to this packet in [Form B](#). The form asks for very basic information on the source and amount of your judgment.
2. **Serve your employer.** After you have filled out the form, you must arrange to “serve” a copy on your employer. *You must ask someone else who is not a party to your case to do this for you.* The person you ask to serve your employer must be at least 18 years old, and must be a resident or employee in the county where s/he serves the papers. S/he can be a friend or relative, or you can hire a professional registered process server. There are two basic ways to serve papers, *by mail* or *in person*.

- **Service by mail:** If you choose to serve papers by mail, you'll probably want to ask a friend or relative to do it. To serve papers by mail, you must

 1. complete a Proof of Service by Mail form (attached sample [Form C](#));
 2. make copies of all the papers, and keep a copy for yourself;
 3. put a copy of the papers and a copy of the unsigned Proof of Service by Mail form in an envelope addressed to your employer, stamped with sufficient postage;
 4. have the person you have chosen to serve your employer put the envelope in the mail;
 5. have that person sign the Proof of Service by Mail form;
 6. copy the signed Proof of Service by Mail form and file it with the court where you received your judgment.

- **Service in person:** Although it's best to hire a professional process server when serving papers in person, there are several ways to personally serve your employer:

 1. You can ask the sheriff's office in the county where your employer will be served if it handles personal service. If it doesn't, someone there can tell you which law enforcement officers in the county do. Law enforcement officers generally charge around \$30.00 for service.
 2. Instead of using the sheriff's office, you can hire a registered process server to serve your employer. Hiring a registered process server is a good idea if you think your employer will be difficult to serve. Registered process servers are listed in the Yellow Pages. They typically charge a little more than law enforcement officers.
 3. You can have a friend or relative serve your employer in person. The person you choose must be at least 18 years old, and must be a resident or employee in the county where s/he serves the papers. S/he will need to fill out and sign a Proof of Personal Service form (attached as sample [Form D](#)). Make sure you keep a copy of the signed Proof of Personal Service form for your files.

3. File the Notice of Judgment Lien ([Form B](#)) with the Secretary of State.

The Secretary of State is a state government office that oversees many businesses. You should mail the Notice of Judgment Lien form you have completed with a brief cover letter to:

Secretary of State
P.O. Box 1738
Sacramento, CA 95808.

You should also include a copy of either the signed Proof of Service by Mail (Form C) or Proof of Personal Service (Form D) showing that you have served your employer. *You must also include a fee with the form.* As of January 1, 2006, the fee was \$10.00. However, you should check with the Secretary of State's office www.ss.ca.gov to find out if the rate has changed.

4. Wait.

Your next step after successfully creating a business property lien is to wait until your employer tries to do something with the property you have attached, like sell it, or until she tries to get financing from a bank or other creditor. At that time, your employer will have to pay off the amount of your lien before s/he can proceed.

Step 3: Obtain a writ of execution.

What is a Writ of Execution?

In addition to getting a business property lien, you can also get a Writ of Execution against your employer. Unlike the business property lien, where you have to wait until the employer does something with the property subject to the lien, the Writ of Execution is a legal tool that allows you to actively go after your employer's assets to satisfy your award. Once you've filed a Writ of Execution, it lasts for 180 days.

How to obtain a Writ of Execution:

- 1. Fill out the Writ of Execution form.** A sample, completed Writ of Execution form is attached to this packet as [Form E](#). You need to fill out a separate form for each county in which you are trying to collect your judgment. Therefore, you should file a Writ of Execution in each county in which your employer has assets you want to obtain.
- 2. File the form and have the court issue a Writ of Execution.** Make at least three photocopies of your completed form and take the copies and the original document to the court clerk. The clerk will issue the Writ by stamping it with the date and putting the official seal of the court on it. You may have your Writ issued by mail by sending

- your original Writ,
- the copies,
- the necessary fee,
- a self-addressed stamped envelope,
- and a cover letter to the clerk of the court asking that your Writ be returned to you.

If information is missing from your form, or if your form has been filled out incorrectly, the clerk probably will reject your Writ. She will typically let you know why the Writ is being rejected so that you may quickly correct your work.

3. **Serve your Writ of Execution.** After your Writ has been issued, the county's levying officer (the person in charge of enforcing Writs of Execution, often the county sheriff) will serve it upon whomever you tell him to collect against. For example, you may have the levying officer collect against your employer's bank account, or against the receipts that come into the business one day. Deciding what accounts to collect from is discussed in Step 4, below. Note: Enforcing a Writ of Execution can be *expensive* because it authorizes the levying officer to actually take possession of property. For example, as of January 1, 2006, the San Francisco sheriff's fee for enforcing a Writ of Execution against real property (such as a land or a home) was \$700

Step 4: Find out what your employer's business owns.

To determine the best method of collecting your judgment, you need to know what assets your employer has and where they are kept. There are a number of ways you can get this information.

Debtor's Statement of Assets.

This tool is available *only if your judgment came from small claims court*. After the verdict, the clerk of the small claims court should give your employer a Statement of Assets form. Your employer must fill out the form and return it to you within 30 days of the judgment. If your employer does not complete the form, you should ask the small claims court to find the employer in "contempt." The small claims court may then add any fines it charges your employer to your judgment.

Court Records.

If your employer has been involved in another lawsuit, the records from that suit may contain a statement of your employer's assets. You have a right to see the files from that suit, though you may have to go to the court where the suit was filed to get them.

Debtor's Examination.

After you have received a favorable judgment, you may require your employer to appear in court and answer questions about the business's assets. This is called a "debtor's examination." There are several steps to this process that must be followed closely.

1. **Find the Proper Court.** Usually, the proper court is going to be the one that awarded you your judgment. However, if your employer does not live or have a business in the same county as that court, or within 150 miles of that court, the examination must take place in the county where your employer lives or has a business.
2. **Schedule the Debtor's Examination.** Call the clerk of the court and find out when the court schedules debtors' examinations. You should schedule the examination for at least forty-five (45) days or more after you call to allow your employer to be served.
3. **Complete an Application and Order for Appearance and Examination Form.** When you talk to the court clerk, ask if the court has its own Application and Order for Appearance and Examination form. If it does, find out how you can get a copy. Otherwise, ask if the court accepts the Judicial Council's Application and Order for Appearance form (a sample, completed form is attached as [Form F](#)). Complete the form and return it to the clerk. You should keep a copy of the form for yourself, and ask the clerk to mail you a copy of the form after a judge has signed it. The clerk will have it signed by a judge, and will give you the original or a copy.
4. **Complete a Subpoena *Duces Tecum* (optional).** You may want your employer to bring certain documents to court for the examination by obtaining a subpoena *duces tecum*. "Duces tecum" means "bring it with you" in Latin, and a subpoena *duces tecum* is a court order that means your employer must bring certain documents to the debtor's examination. For example, you might want your employer to bring bank statements for the business. If you choose to obtain a subpoena *duces tecum*, a photocopy of the subpoena *duces tecum* must be served upon your employer with the

Application and Order for Appearance. You should ask the court for a copy of the subpoena form it uses to issue a subpoena *duces tecum*.

5. **Serve your employer.** Unless you have an order from a judge stating that you may personally serve the Application and Order for Appearance, a sheriff or other registered process server must serve the Application (and subpoena *duces tecum*, if any). You *must* serve these documents using the same service of process rules as serving a Judgment Lien described above.

6. **File With the Court.** You must file the following documents with the court before your examination:
 - a. proof of service for the Application and Order for Appearance, and subpoena;

 - b. the original Application and Order for Appearance; and Examination;

 - c. and the original subpoena *duces tecum*, if any (see #4, above).

7. **Prepare for the Examination.** You should prepare a list of the questions you want to ask your employer at the examination. Suggested questions include:
 - Does your employer’s business own any real estate?
 - What, if any, debts does your employer’s business owe?
 - What is the location and value of all office equipment, computers, and furniture owned by the business?
 - Where does the business have its bank accounts?
 - Is the business or your employer currently a party in any other court actions or lawsuits?

8. **Go to the Examination.** At the examination, you and your employer will privately discuss his/her ability to fulfill your judgment. This is the time for you to ask your employer the questions you prepared. If you served a subpoena *duces tecum*, you should ask your employer to produce the documents you requested. Your employer will be under oath to tell the truth during this conversation. You should maintain a civil tone during this examination, as your goal is to get your employer to pay you, not to create a more hostile situation. If your employer refuses to talk with you, tell the judge. The employer may be held in contempt of court.

9. **If Your Employer Doesn't Show Up.** Usually, if a debtor doesn't appear at an examination, the court will simply set a new date and notify the debtor to appear then. If your employer does not appear at the second hearing, you may ask the court to issue a bench warrant at that time, which means that your employer may be arrested for not appearing.

Step 5: Collecting your employer's assets.

Obtaining assets from your employer is usually done through a "levy." A levy is a legal process where money or property is taken from one party and given to another. Three main procedures exist for obtaining assets from your employer: 1) you can levy the business bank account, 2) levy against the business receipts, or 3) seize the business assets.

▪ Option One: Levying a Bank Account

1. **Find Out Your Employer's Bank and Account Number.** Your employer's bank account number will probably be listed on paychecks you have received. You can also find out your employer's bank and account number by writing a check to your employer's business (or you can have a friend do it). When you get the cancelled check back from your bank, it will have your employer's bank information on the back.
2. **Get a Writ of Execution.** See Step 3 "Obtain a Writ of Execution," above.
3. **Time Your Levy.** You should plan to have your levy executed at a time when your employer's bank account will have enough money in it to satisfy your judgment. You should consider when your employer spends a lot of money (around payday, or times when bills are due) and when money will be coming in to the account.
4. **Find Out Levying Information for the County.** You need to determine who the levying officer is for the county in which you wish to pursue assets. Call the county sheriff's office and ask if it makes levies on civil judgments. If it does not, ask who does. Once you have reached the levying officer, find out what fees apply for using its services. Ask for any forms or instructions the office might provide to help you execute your levy. You should also find out how long it will take the levying officer to serve your employer once you give him the information he needs. This will help you to time the levy, as explained above.

5. **Execute the Levy.** The levying officer will serve a Notice of Levy on the bank employee in charge of your employer's account. Your employer has ten days to object to the levy. If the employer objects, you must ask the court to set a hearing to settle the dispute.

▪ **Option Two: Levying Against Receipts**

1. **What Does it Mean to Levy Against Receipts?**

To "levy against receipts" means that you will satisfy your judgment by collecting money as it comes in to your employer's business, usually as payment by customers.

2. **Two Methods of Levying Against Receipts.**

There are two ways you can levy against your employer's receipts, the *till tap* and the *keeper*. The till tap allows you to take money from your employer's cash register; the keeper takes money as it is paid to your employer throughout a business day. Both methods are described in detail below. **Note:** if your employer runs the business out of a home, a levying officer will not be able to levy against the employer's receipts without a court order specifically allowing the officer to enter the home.

3. **Obtain a Writ of Execution.** See Step 3 "Obtain a Writ of Execution," above .

4. **Find Out Levying Information for the County.** You need to determine who the levying officer is for the county in which you wish to pursue assets. Call the county sheriff's office and ask if it makes levies on civil judgments. If it does not, ask who does. Once you have reached the levying officer, find out what fees apply for using their services, including the deposit for a till tap and hourly rates for keepers. Ask for any forms or instructions the office might provide to help you in collecting your judgment.

5. **Choose a Method.** You must decide if you want the levying officer to perform a till tap or to send a keeper.

- **Till Tap:** If you ask the levying officer to make a till tap, the officer will go to your employer's business and take money from the cash register. This method is quick and uncomplicated, and can be carried out as many times as required to fulfill your judgment, so long as you obtain new levying information each time. You must pay a fee before the levying officer will conduct a till tap (you should find out how much this fee will be when you contact the levying officer for your county), but if there is enough money in the register, the officer will collect enough to cover this fee and refund that money to you.

- **Keeper:** If you request a keeper, a levying officer will be sent to your employer's business, and will stay there for a specified period of time, collecting money that comes in during the day. The keeper can also inventory your employer's business, which will give you a better idea of other assets you might be able to levy to satisfy your judgment. The keeper will stay for a set period of time, which you establish. For example, you may ask the keeper to stay for a few hours, or for an entire workday, depending on the amount you want to collect. Keepers normally charge an hourly rate, which you will probably have to pay up front. You should find out how much the keepers in your county charge when you first speak to the levying officer. A keeper will generally remain at the business until he has collected enough money to pay both your judgment and his costs, so you will probably be reimbursed for any fees you pay. If your employer objects to having the keeper at the business, the keeper has to leave. However, the keeper is then authorized to shut down the business and sell its assets to pay off your judgment.
6. **Prepare Instructions for the Levying Officer.** You should fill out a form (samples are provided as [Form G \(Till Tap\)](#) and [Form H \(Keeper\)](#)) telling the levying officer the specifics of your judgment and instructing him on how you would like him to proceed in collecting your judgment. You should tell him the date and time that you would like him to collect your judgment, and any specific instructions you might have, such as asking him to inventory the business. You should then send your instructions to the levying officer, along with the original Writ and the copies you've made (keep a copy for yourself), and the officer's fee.
 7. **Collect the Proceeds.** It may take awhile to collect proceeds. The levying officer should advise you as to the outcome of the levy once he has finished, and will tell you if any problems arise. However, often there is a significant delay between the levy and the time the officer turns over the proceeds to you. You should recognize this, and be patient. Don't be afraid to contact the officer if you believe that your case may have been forgotten. Some levying officers will only communicate with you about your levy in writing.

▪ **Option Three: Seizing Business Assets**

Seizing business assets is a much more complicated process than levying receipts, and is only recommended if you have received a large award (more than \$10,000) or are interested in receiving property your employer owns as part of your judgment. When business assets are seized, the levying officer at your expense takes property from your employer's business and then sells it to pay off what is owed to you, including the costs of seizing the assets. Not all property can be seized. For example, property belonging to your employer personally or property that the business does not fully own is off-limits. Generally, the property is sold for much less than its market value. The main benefit of this method may be that the threat to

your employer of having its business assets seized might coerce your employer into paying off your judgment.

How to Seize Business Assets

- 1. Get the County's Levying Information.** You need to determine who the levying officer is for the county in which you wish to seize assets. Call the county sheriff's office and ask if it makes levies on civil judgments. If it does not, ask who does. Once you locate the county's levying officer, find out the county's procedure for selling business assets and the amount of the deposit required. You should also ask for any forms or instructions the office might provide.
- 2. Get a Writ of Execution.** This step is explained fully in Step 3, Section 2, above.
- 3. Send Levying Instructions to the Officer.** You must write a letter to the levying officer telling him how you want to conduct the seizure. A sample instruction letter has been attached as [Form I](#). Your letter should require the levying officer to give you an estimate as to the cost to you of seizing the assets. If those costs are too high, you can decide not to proceed with the seizure. Remember, though, you may be able to recover these costs from the proceeds of the assets sale. The letter should also specify the type of property you want to be seized. You should then send your original and copies of your Writ and instruction to the levying officer (keep a copy for your files), along with any fees that are required.
- 4. Sale and Receipt of Proceeds.** After seizing your employer's property, the levying officer will conduct a sale. Sales very rarely happen because the property is sold for a small fraction of its value. Instead, your employer often will work out a way to settle the judgment with you and get back its property before a sale takes place. If a sale does take place, the levying officer will then disburse to you proceeds of the sale in the amount of your judgment and costs.

Step 6: Collect post-judgment costs and interest.

Collecting a court judgment can be a long and involved process. However, there is good news: you are entitled to interest upon the amount of your judgment from the date of the judgment until it is paid. You also are entitled to reimbursement for many of the costs you may incur in pursuing payment of your judgment. Therefore, you should keep good records of all of your costs in pursuing your award.

Post-Judgment Interest

Interest on your judgment accrues at the rate of 10% a year. The amount of interest is calculated from the date the judgment was first entered. If your judgment is an installment judgment, interest is calculated for each installment from the date each becomes due.

Post-Judgment Costs

The following costs may be added to your judgment:

- filing fees from the clerk of the court;
- fees charged by the levying officer;
- fees charged by the process server for serving the Application and Order for Appearance and Examination and subpoena, if approved by the court;
- fees for issuing a bench warrant;
- attorney's fees, if called for by the applicable statute (like Title VII of the 1964 Civil Rights Act, or the California Unruh Act);
- other reasonable and necessary costs of enforcing the judgment, as determined by the court.

The following costs may *not* be added to your judgment:

- parking;
- meals;
- long-distance phone calls;
- copying costs;
- postage;
- mileage;
- your time;
- process servers not required or approved by the court.

How to Collect

To collect any post-judgment interest or costs that you are due, you must file with the court a Memorandum of Costs After Judgment. The name of this form and information it requires will vary from court to court, so you should ask the court clerk what your county requires. This form does not have to be filed at any specific point—it can be filed after the proceeds of the judgment are actually given to you—but does need to be filed within two years of the time the costs were incurred. It's good to file as soon as you have to pay the costs, however, because once the costs are filed, they become part of your judgment and you can begin collecting interest on them. After you complete the form, you must have it served on your employer (see Step 2, above, for instructions on how to serve documents). You must then file the

memorandum and your proof of service with the court. Your employer has fifteen days to contest your memorandum before the amount becomes part of your judgment.

Step 7: After the judgment is paid.

After you've received the amount of your judgment, there are still a few steps that you must take before the matter is completely finished. You must make an acknowledgement of the judgment and release any liens you might have made on your employer's assets or property.

Acknowledging the Judgment

- 1. Fill out an Acknowledgement of Satisfaction of Judgment Form.** A sample form is attached as [Form J](#). **Note:** If you won your judgment in small claims court, the court clerk will automatically file a satisfaction of judgment.
- 2. Have the Form Notarized.** Before you sign the form, find a notary public (you can usually find one in the phone book or at the bank). Take your original form and some personal identification to the notary's office, and ask to have your signature notarized. The notary will give you a form to attach to your Acknowledgement of Satisfaction of Judgment.
- 3. Serve and File the Acknowledgement of Satisfaction of Judgment.** You may serve your employer with the Acknowledgement of Satisfaction of Judgment by mail or in person. You can have your employer file the Acknowledgement of Satisfaction of Judgment with the court if you serve the employer personally, but it is generally wiser to file the form with the court yourself. You may do this by mail. If you file by mail, ask the clerk of the court to send you a copy of the final filed document. Keep a copy for your files.

Releasing Your Liens.

If you created any liens on your employer's property, you must release them by filing your Acknowledgement of Satisfaction of Judgment with the Secretary of State. The release is required by law. A small fee must accompany the release. You should contact the Secretary of State's office to find out how much the fee is currently.

Step 8: If your employer files for bankruptcy.

It is generally bad news if your employer files for bankruptcy. However, you are still entitled to attempt to have your judgment, or a portion of your judgment, paid as part of your employer's bankruptcy plan.

If your judgment is named as one of your employer's debts, you should receive a **Bankruptcy Notice** from the court. Your judgment probably will be named, because your employer wants to get out of all debts. You should read this document carefully, as it provides important information as to your employer's financial status, what actions you can take to recover your judgment, and deadlines you must meet to do so. If you did not get a bankruptcy notice but know that your employer has filed for bankruptcy, contact the bankruptcy court in which your employer filed (listed in the phone book) and make sure you are listed as a creditor.

Recovering Your Judgment

1. **Read the Bankruptcy Notice.** The bankruptcy notice will contain the date by which you must file your Proof of Claim. It is crucial that you find and abide by this date, as filing late usually means that you won't be able to recover any money.
2. **File a Proof of Claim.** A blank Proof of Claim should be sent to you with the bankruptcy notice. A sample form is attached here as [Form K](#). After you have filled out the Proof of Claim, make a copy for your records. File one with the court as well, making sure that the court *receives* it by the date listed on the bankruptcy notice.
3. **Answer Any Objections.** After you have filed your claim, your employer may object that the amount you claimed is incorrect (this is unlikely if you have a final judgment in hand already), or that you may have failed to attach required documentation. If you cannot fix these objections on your own, you should consult a bankruptcy attorney.
4. **Wait.** The court will then determine what property your employer may keep and what will be distributed to your employers creditors. With any luck, you will receive part or all of the money owed to you at this time. After this has been determined, the case will be discharged. After the final discharge, you will not be able to collect any money from your employer.

Good Luck!

Form A

Sample Final Demand Letter

January 15, 2006

FINAL NOTICE

Ms. Emily Employer
ABC Corporation
425 W. 13th St.
San Francisco, CA 94103

Dear Ms. Employer:

As you are aware, on January 4, 2006, I received a judgment against you for unpaid wages in the amount of \$8,165.32 in the San Francisco Superior Court. I have attached a copy of the judgment to this letter.

This judgment is final, can no longer be appealed, and is binding upon you as a matter of law. Accordingly, I ask that you pay it immediately. If you choose not to pay the judgment voluntarily, I will pursue the legal remedies available to me to collect the money I am due. These remedies include levying your incoming business receipts in the amount of my judgment. It is in your best interest to pay the judgment as quickly as possible, because if I am forced to resort to formal collection methods, I may collect interest on the unpaid amount at the rate of 10% per year. CCP § 685.010. You will also be liable for the costs I incur in collecting my judgment from you.

I will refrain from beginning formal collection procedures for 10 days from the date of this letter to give you time to contact me and arrange to make payment. If I don't hear from you by the end of that time, I will begin the formal collection procedures available to me by law. Please call me at (415) 555-0492, or send a check in the amount of \$8,165.32 to the following address:

Mr. William Worker
470 Mystic Drive
Oakland, CA 94720

Sincerely,

William Worker

Form B

This is a sample form. A blank, printable form, with instructions is available at http://www.ss.ca.gov/business/ucc/ra_9_jl1_barcode.pdf

NOTICE OF JUDGMENT LIEN <small>FOLLOW INSTRUCTIONS CAREFULLY (front and back of form)</small>				
A. NAME & PHONE OF FILER'S CONTACT (optional) William Worker (510) 555-0492				
B. SEND ACKNOWLEDGMENT TO: (NAME AND ADDRESS) William Worker 470 Mystic Drive Oakland, CA 94720				
<small>THIS SPACE FOR FILING OFFICE USE ONLY</small>				
1. JUDGMENT DEBTOR'S EXACT LEGAL NAME – Insert only one name, either 1a or 1b. Do not abbreviate or combine names.				
1a. ORGANIZATION'S NAME ABC Corporation				
1b. INDIVIDUAL'S LAST NAME	FIRST NAME	MIDDLE NAME	SUFFIX	
1c. MAILING ADDRESS 425 W. 13th St.	CITY San Francisco	STATE CA	POSTAL CODE 94103	COUNTRY US
2. JUDGMENT CREDITOR'S NAME – Do not abbreviate or combine names.				
2a. ORGANIZATION'S NAME				
2b. INDIVIDUAL'S LAST NAME Worker	FIRST NAME William	MIDDLE Employee	SUFFIX	
2c. MAILING ADDRESS 470 Mystic Drive	CITY Oakland	STATE CA	POSTAL CODE 94720	COUNTRY US
3. ALL PROPERTY SUBJECT TO ENFORCEMENT OF A MONEY JUDGMENT AGAINST THE JUDGMENT DEBTOR TO WHICH A JUDGMENT LIEN ON PERSONAL PROPERTY MAY ATTACH UNDER SECTION 697.530 OF THE CODE OF CIVIL PROCEDURE IS SUBJECT TO THIS JUDGMENT LIEN.				
A. Title of court where judgment was entered: <u>San Francisco Superior Court</u>				
B. Title of the action: <u>William Worker v. ABC Corporation</u>				
C. Number of this action: <u>16425</u>				
D. Date judgment was entered: <u>January 4, 2006</u>				
E. Date of subsequent renewals of judgment (if any): _____				
F. Amount required to satisfy judgment at date of this notice: \$ <u>8165.32</u>				
G. Date of this notice: <u>January 31, 2006</u>				
4. I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.				
SIGNATURE – SEE INSTRUCTION NO. 4 _____				Dated: <u>1/31/2006</u> <i>(if not indicated, use same as date in item 3G.)</i>
FOR: _____				
FILING OFFICE COPY		NOTICE OF JUDGMENT LIEN (FORM JL1) (Rev. 6/01) <small>Approved by the Secretary of State</small>		

Form C

This is a sample form. A blank, printable form, with instructions is available at <http://www.courtinfo.ca.gov/forms/fillable/fl335.pdf>

FL-335

ATTORNEY OR PARTY WITHOUT ATTORNEY OR GOVERNMENTAL AGENCY (under Family Code, §§ 17400, 17406) <i>(Name, state bar number, and address):</i> William Worker 470 Mystic Drive Oakland, CA 94720 TELEPHONE NO.: (510) 555-0492 FAX NO.: ATTORNEY FOR (Name):		
SUPERIOR COURT OF CALIFORNIA, COUNTY OF San Francisco STREET ADDRESS: 400 McAllister Street, Suite 103 MAILING ADDRESS: CITY AND ZIP CODE: San Francisco, CA 94102 BRANCH NAME:		
PETITIONER/PLAINTIFF: William Worker RESPONDENT/DEFENDANT: ABC Corporation OTHER PARENT:		
PROOF OF SERVICE BY MAIL		

NOTICE: To serve temporary restraining orders you must use personal service (see form FL-330).

- I am at least 18 years of age, not a party to this action, and I am a resident of or employed in the county where the mailing took place.
- My residence or business address is:
6 Greenway Drive
San Francisco, CA 94114
- I served a copy of the following documents (specify):
Acknowledgement of Satisfaction of Judgment

by enclosing them in an envelope AND

- depositing the sealed envelope with the United States Postal Service with the postage fully prepaid.
- placing the envelope for collection and mailing on the date and at the place shown in item 4 following our ordinary business practices. I am readily familiar with this business's practice for collecting and processing correspondence for mailing. On the same day that correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service in a sealed envelope with postage fully prepaid.

- The envelope was addressed and mailed as follows:
 - Name of person served: **Emily Employer, ABC Corporation**
 - Address: **425 W.13th St.**
San Francisco, CA 94103
 - Date mailed: **March 5, 2006**
 - Place of mailing (city and state): **San Francisco, CA**

5. I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: **March 5, 2006**

Sally Server
(TYPE OR PRINT NAME)



(SIGNATURE OF PERSON COMPLETING THIS FORM)

Form F

This is a sample form. A blank, printable form is available at <http://www.courtinfo.ca.gov/forms/fillable/ej125.pdf>

AT-138, EJ-125

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, state bar number, and address): William Worker 470 Mystic Drive Oakland, CA 94720 TELEPHONE NO.: (510) 555-0492 FAX NO.: ATTORNEY FOR (Name):	
NAME OF COURT: San Francisco Superior Court STREET ADDRESS: 400 McAllister St. MAILING ADDRESS: Suite 103 CITY AND ZIP CODE: San Francisco, CA 94102 BRANCH NAME:	
PLAINTIFF: William Worker DEFENDANT: ABC Corporation	
APPLICATION AND ORDER FOR APPEARANCE AND EXAMINATION <input checked="" type="checkbox"/> ENFORCEMENT OF JUDGMENT <input type="checkbox"/> ATTACHMENT (Third Person) <input checked="" type="checkbox"/> Judgment Debtor <input type="checkbox"/> Third Person	CASE NUMBER: <div style="text-align: center; font-size: 1.2em;">16425</div>

ORDER TO APPEAR FOR EXAMINATION

1. TO (name): **Emily Employer, ABC Corporation**
2. YOU ARE ORDERED TO APPEAR personally before this court, or before a referee appointed by the court, to
 - a. furnish information to aid in enforcement of a money judgment against you.
 - b. answer concerning property of the judgment debtor in your possession or control or concerning a debt you owe the judgment debtor.
 - c. answer concerning property of the defendant in your possession or control or concerning a debt you owe the defendant that is subject to attachment.

Date: April 18, 2007 Time: 10:30 a.m. Dept. or Div.: 100 Rm.: 100 Address of court <input checked="" type="checkbox"/> shown above <input type="checkbox"/> is:
--

3. This order may be served by a sheriff, marshal, registered process server, or the following specially appointed person (name):

Date: _____ JUDGE OR REFEREE

This order must be served not less than 10 days before the date set for the examination.
IMPORTANT NOTICES ON REVERSE

APPLICATION FOR ORDER TO APPEAR FOR EXAMINATION

4. Judgment creditor Assignee of record Plaintiff who has a right to attach order
 applies for an order requiring (name): **Emily Employer** to appear and furnish information to aid in enforcement of the money judgment or to answer concerning property or debt.
5. The person to be examined is
 - a. the judgment debtor.
 - b. a third person (1) who has possession or control of property belonging to the judgment debtor or the defendant or (2) who owes the judgment debtor or the defendant more than \$250. An affidavit supporting this application under Code of Civil Procedure section 491.110 or 708.120 is attached.
6. The person to be examined resides or has a place of business in this county or within 150 miles of the place of examination.
7. This court is not the court in which the money judgment is entered or (attachment only) the court that issued the writ of attachment. An affidavit supporting an application under Code of Civil Procedure section 491.150 or 708.160 is attached.
8. The judgment debtor has been examined within the past 120 days. An affidavit showing good cause for another examination is attached.

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

Date: **March 21, 2007**

William Worker
(TYPE OR PRINT NAME)
(SIGNATURE OF DECLARANT)

(Continued on reverse)

Form G

Instructions to Levying Officer (Till Tap)

Date:

Instructions to Levying Officer for the County of _____

To Whom It May Concern:

Please take action in the manner described below to collect judgment in the matter of _____ . Please hold the Writ of Execution for 180 days or until the judgment is fully satisfied. I will contact you if I wish you to proceed differently.

Case Name: _____

Court: _____

Case No.: _____

Enclosed please find:

- Original Writ of Execution and _____ additional copies.
- Check or money order in the amount of \$ _____.

Instructions:

You are hereby instructed to seize enough of the cash and checks available at the following business to satisfy the full amount of my judgment, as specified in the enclosed Writ of Execution:

ABC Corporation
425 W. 13th St.
San Francisco, CA 94103

Please levy the ABC Corporation's receipts before the end of business on a Saturday, as the week's receipts are generally deposited at the bank on Saturday afternoons. Thank you.

Sincerely,

William Worker

Form H

Instructions to Levying Officer (Keeper)

Date:

Instructions to Levying Officer for the County of _____

To Whom It May Concern:

Please take action in the manner described below to collect judgment in the matter of _____ . Please hold the Writ of Execution for 180 days or until the judgment is fully satisfied. I will contact you if I wish you to proceed differently.

Case Name: _____

Court: _____

Case No.: _____

Enclosed please find:

- Original Writ of Execution and _____ additional copies.
- Check or money order in the amount of \$ _____.

Instructions:

You are hereby instructed to place an eight-hour keeper on-site at the following business, as authorized by the enclosed Writ of Execution:

ABC Corporation
425 W. 13th St.
San Francisco, CA 94103

Please ask the keeper to conduct an inventory of the personal property on the premises of the ABC Corporation, including office equipment, computers, furniture, telephones, and other personal property. Thank you.

Sincerely,

William Worker

Form I

Instructions to Levying Officer (Seize and Sale of Business Assets)

Date:

Instructions to Levying Officer for the County of _____

To Whom It May Concern:

Please take action in the manner described below to collect judgment in the matter of _____ . Please hold the Writ of Execution for 180 days or until the judgment is fully satisfied. I will contact you if I wish you to proceed differently.

Case Name: _____

Court: _____

Case No.: _____

Enclosed please find:

- Original Writ of Execution and _____ additional copies.
- Check or money order in the amount of \$ _____.

Instructions:

You are hereby instructed to seize and sell these specific assets:

at the following business, as authorized by the enclosed Writ of Execution:

ABC Corporation
425 W. 13th St.
San Francisco, CA 94103

Note: Prior to taking the above action, please let me know how much you believe the cost of seizing and selling these business assets will be so that I can plan accordingly. Thank you.

Sincerely,

William Worker

Form J

This is a **sample** form. A blank, printable form is available at <http://www.courtinfo.ca.gov/forms/fillable/ej100.pdf>

EJ-100

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): After recording return to: William Worker 470 Mystic Drive Oakland, CA 94720 TELEPHONE NO.: (510) 555-0492 FAX NO. (Optional): E-MAIL ADDRESS (Optional): ATTORNEY FOR (Name):										
SUPERIOR COURT OF CALIFORNIA, COUNTY OF San Francisco STREET ADDRESS: 400 McAllister St. MAILING ADDRESS: Suite 103 CITY AND ZIP CODE: San Francisco, CA 94102 BRANCH NAME:										
PLAINTIFF: William Worker DEFENDANT: ABD Corporation	FOR RECORDER'S OR SECRETARY OF STATE'S USE ONLY CASE NUMBER: 16425									
<p style="text-align: center;">ACKNOWLEDGMENT OF SATISFACTION OF JUDGMENT</p> <p><input checked="" type="checkbox"/> FULL <input type="checkbox"/> PARTIAL <input type="checkbox"/> MATURED INSTALLMENT</p> <p>1. Satisfaction of the judgment is acknowledged as follows:</p> <p>a. <input checked="" type="checkbox"/> Full satisfaction</p> <p style="margin-left: 20px;">(1) <input checked="" type="checkbox"/> Judgment is satisfied in full.</p> <p style="margin-left: 20px;">(2) <input type="checkbox"/> The judgment creditor has accepted payment or performance other than that specified in the judgment in full satisfaction of the judgment.</p> <p>b. <input type="checkbox"/> Partial satisfaction The amount received in partial satisfaction of the judgment is \$</p> <p>c. <input type="checkbox"/> Matured installment All matured installments under the installment judgment have been satisfied as of (date):</p> <p>2. Full name and address of judgment creditor:* William Worker 470 Mystic Dr., Oakland, CA 94720</p> <p>3. Full name and address of assignee of record, if any:</p> <p>4. Full name and address of judgment debtor being fully or partially released:* ABC Corporation 425 W.13th St., San Francisco, CA 94103</p> <p>5. a. Judgment entered on (date): 5/1/07 b. <input type="checkbox"/> Renewal entered on (date):</p> <p>6. <input checked="" type="checkbox"/> An <input checked="" type="checkbox"/> abstract of judgment <input type="checkbox"/> certified copy of the judgment has been recorded as follows (complete all information for each county where recorded):</p> <table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: center;">COUNTY</th> <th style="text-align: center;">DATE OF RECORDING</th> <th style="text-align: center;">INSTRUMENT NUMBER</th> </tr> </thead> <tbody> <tr> <td style="text-align: center;">San Francisco</td> <td style="text-align: center;">4/15/07</td> <td style="text-align: center;">4589</td> </tr> <tr> <td style="text-align: center;">Alameda</td> <td style="text-align: center;">4/15/07</td> <td style="text-align: center;">6521</td> </tr> </tbody> </table> <p>7. <input checked="" type="checkbox"/> A notice of judgment lien has been filed in the office of the Secretary of State as file number (specify): 4120</p> <p>NOTICE TO JUDGMENT DEBTOR: If this is an acknowledgment of full satisfaction of judgment, it will have to be recorded in each county shown in item 6 above, if any, in order to release the judgment lien, and will have to be filed in the office of the Secretary of State to terminate any judgment lien on personal property.</p> <p>Date: May, 15 2007</p> <p style="text-align: right;">▶ (SIGNATURE OF JUDGMENT CREDITOR OR ASSIGNEE OF CREDITOR OR ATTORNEY**)</p>		COUNTY	DATE OF RECORDING	INSTRUMENT NUMBER	San Francisco	4/15/07	4589	Alameda	4/15/07	6521
COUNTY	DATE OF RECORDING	INSTRUMENT NUMBER								
San Francisco	4/15/07	4589								
Alameda	4/15/07	6521								

Form K

This is a **sample** form. A blank, printable form is available at <http://www.kyeb.uscourts.gov/kyeb/Rules/b10.pdf>

FORM B10 (Official Form 10) (10/05)

UNITED STATES BANKRUPTCY COURT <u>Northern</u> DISTRICT OF <u>California</u>		PROOF OF CLAIM
Name of Debtor ABC Corporation	Case Number OHN001964	
NOTE: This form should not be used to make a claim for an administrative expense arising after the commencement of the case. A "request" for payment of an administrative expense may be filed pursuant to 11 U.S.C. § 503.		
Name of Creditor (The person or other entity to whom the debtor owes money or property): William Worker	<input type="checkbox"/> Check box if you are aware that anyone else has filed a proof of claim relating to your claim. Attach copy of statement giving particulars. <input checked="" type="checkbox"/> Check box if you have never received any notices from the bankruptcy court in this case. <input type="checkbox"/> Check box if the address differs from the address on the envelope sent to you by the court.	THIS SPACE IS FOR COURT USE ONLY
Name and address where notices should be sent: William Worker 470 Mystic Drive Oakland, CA 94720 Telephone number: (510) 555-0492		
Last four digits of account or other number by which creditor identifies debtor:	Check here <input type="checkbox"/> replaces <input type="checkbox"/> amends a previously filed claim, dated: _____	
1. Basis for Claim <input type="checkbox"/> Goods sold <input type="checkbox"/> Services performed <input checked="" type="checkbox"/> Money loaned <input checked="" type="checkbox"/> Personal injury/wrongful death <input type="checkbox"/> Taxes <input type="checkbox"/> Other _____ <input type="checkbox"/> Retiree benefits as defined in 11 U.S.C. § 1114(a) <input checked="" type="checkbox"/> Wages, salaries, and compensation (fill out below) Last four digits of your SS #: _____ Unpaid compensation for services performed from <u>1/03/05</u> to <u>4/12/05</u> (date) (date)		
2. Date debt was incurred: <u>4/15/05</u>	3. If court judgment, date obtained: <u>1/5/07</u>	
4. Classification of Claim. Check the appropriate box or boxes that best describe your claim and state the amount of the claim at the time case filed. See reverse side for important explanations. Unsecured Nonpriority Claim \$ _____ <input type="checkbox"/> Check this box if: a) there is no collateral or lien securing your claim, or b) your claim exceeds the value of the property securing it, or if c) none or only part of your claim is entitled to priority. Unsecured Priority Claim <input type="checkbox"/> Check this box if you have an unsecured claim, all or part of which is entitled to priority. Amount entitled to priority \$ _____ Specify the priority of the claim: <input type="checkbox"/> Domestic support obligations under 11 U.S.C. § 507(a)(1)(A) or (a)(1)(B) <input checked="" type="checkbox"/> Wages, salaries, or commissions (up to \$10,000),* earned within 180 days before filing of the bankruptcy petition or cessation of the debtor's business, whichever is earlier - 11 U.S.C. § 507(a)(4). <input type="checkbox"/> Contributions to an employee benefit plan - 11 U.S.C. § 507(a)(5). Secured Claim <input checked="" type="checkbox"/> Check this box if your claim is secured by collateral (including a right of setoff). Brief Description of Collateral: <input type="checkbox"/> Real Estate <input type="checkbox"/> Motor Vehicle <input type="checkbox"/> Other _____ Value of Collateral: \$ _____ Amount of arrearage and other charges at time case filed included in secured claim, if any: \$ <u>352.00 post judg</u> <input type="checkbox"/> Up to \$2,225* of deposits toward purchase, lease, or rental of property or services for personal, family, or household use - 11 U.S.C. § 507(a)(7). <input type="checkbox"/> Taxes or penalties owed to governmental units - 11 U.S.C. § 507(a)(8). <input type="checkbox"/> Other - Specify applicable paragraph of 11 U.S.C. § 507(a)(____). *Amounts are subject to adjustment on 4/1/07 and every 3 years thereafter with respect to cases commenced on or after the date of adjustment.		
5. Total Amount of Claim at Time Case Filed: \$ <u>8,517.32</u> <u>8,517.32</u> (unsecured) (secured) (priority) (Total) <input type="checkbox"/> Check this box if claim includes interest or other charges in addition to the principal amount of the claim. Attach itemized statement of all interest or additional charges.		
6. Credits: The amount of all payments on this claim has been credited and deducted for the purpose of making this proof of claim. 7. Supporting Documents: Attach copies of supporting documents, such as promissory notes, purchase orders, invoices, itemized statements of running accounts, contracts, court judgments, mortgages, security agreements, and evidence of perfection of lien. DO NOT SEND ORIGINAL DOCUMENTS. If the documents are not available, explain. If the documents are voluminous, attach a summary. 8. Date-Stamped Copy: To receive an acknowledgment of the filing of your claim, enclose a stamped, self-addressed envelope and copy of this proof of claim.		THIS SPACE IS FOR COURT USE ONLY
Date <u>3/15/07</u>	Sign and print the name and title, if any, of the creditor or other person authorized to file this claim (attach copy of power of attorney, if any):	

This fact sheet is intended to provide accurate, general information regarding legal rights relating to employment in California. Yet because laws and legal procedures are subject to frequent change and differing interpretations, the Legal Aid Society - Employment Law Center cannot ensure the information in this fact sheet is current nor be responsible for any use to which it is put. Do not rely on this information without consulting an attorney or the appropriate agency about your rights in your particular situation.

For further information about your employment rights, please call:

The Workers' Rights Clinic

415-864-8208 (SF Bay Area) or **866-864-8208** (Toll Free in CA)

The Workers' Rights Clinic is a project of The Legal Aid Society - Employment Law Center, a non-profit organization focusing on the employment-related legal rights of low-income workers and providing free legal information on a wide range of employment-related problems.

