

ATTORNEY OR PARTY WITHOUT ATTORNEY <i>(Name, state bar number, and address):</i>    TELEPHONE NO.: _____ FAX NO.: _____ ATTORNEY FOR <i>(Name):</i> _____	<b>FOR COURT USE ONLY</b>
NAME OF COURT: STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	
PLAINTIFF:  DEFENDANT:	
<input type="checkbox"/> <b>RIGHT TO ATTACH ORDER AND ORDER FOR ISSUANCE OF WRIT OF ATTACHMENT AFTER HEARING</b> <input type="checkbox"/> <b>ORDER FOR ISSUANCE OF ADDITIONAL WRIT OF ATTACHMENT AFTER HEARING</b>	CASE NUMBER:

1. a. The application of plaintiff *(name)*:  
 for  a right to attach order and order for issuance of writ of attachment  
 an order for issuance of additional writ of attachment  
 against the property of defendant *(name)*:  
 came on for hearing as follows:  
 (1) Judge *(name)*: \_\_\_\_\_  
 (2) Hearing date: \_\_\_\_\_ Time: \_\_\_\_\_ Dept.:  Div.:  Rm.:
- b. The following persons were present at the hearing:  
 (1)  Plaintiff *(name)*: \_\_\_\_\_ (3)  Plaintiff's attorney *(name)*: \_\_\_\_\_  
 (2)  Defendant *(name)*: \_\_\_\_\_ (4)  Defendant's attorney *(name)*: \_\_\_\_\_

**FINDINGS**

2. THE COURT FINDS
- a. Defendant *(specify name)*: \_\_\_\_\_ is a  natural person  partnership  
 unincorporated association  corporation  other *(specify)*: \_\_\_\_\_
- b. The claim upon which the application is based is one upon which an attachment may be issued.
- c. Plaintiff has established the probable validity of the claim upon which the attachment is based.
- d. The attachment is not sought for a purpose other than the recovery on the claim upon which the attachment is based.
- e. The amount to be secured by the attachment is greater than zero.
- f.  Defendant failed to prove that all the property described in plaintiff's application is exempt from attachment.
- g.  The following property of defendant, described in plaintiff's application  
 (1)  is exempt from attachment *(specify)*: \_\_\_\_\_  
 (2)  is not exempt from attachment *(specify)*: \_\_\_\_\_
- h.  The following property, not described in plaintiff's application, claimed by defendant to be exempt  
 (1)  is exempt from attachment *(specify)*: \_\_\_\_\_  
 (2)  is not exempt from attachment *(specify)*: \_\_\_\_\_
- i.  An undertaking in the amount of: \$ \_\_\_\_\_ is required before a writ shall issue, and plaintiff  
 has  has not filed an undertaking in that amount.
- j. A Right to Attach Order was issued on *(date)*: \_\_\_\_\_ pursuant to  
 Code of Civil Procedure section 484.090 (on hearing)  Code of Civil Procedure section 485.220 (ex parte)
- k.  Other *(specify)*: \_\_\_\_\_

(Continued on reverse)

SHORT TITLE: _____	CASE NUMBER: _____
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**ORDER**

3. THE COURT ORDERS

- a. Plaintiff has a right to attach property of defendant (*name*):  
in the amount of: \$
- b.  The property described in items 2g(1) and 2h(1) of the findings is exempt and shall not be attached.
- c. The clerk shall issue  a writ of attachment  an additional writ of attachment in the amount stated in item 3a  
 forthwith  upon the filing of an undertaking in the amount of: \$
  - (1)  for any property of a defendant who is **not** a natural person for which a method of levy is provided.
  - (2)  for the property of a defendant who is a natural person that is subject to attachment under Code of Civil Procedure section 487.010, described as follows (*specify*):

(3)  for the property covered by a bulk sales notice with respect to a bulk transfer by defendant or the proceeds of sale of such property, described as follows (*specify*):

(4)  for plaintiff's pro rata share of proceeds from an escrow in which defendant's liquor license is sold. The license number is (*specify*):

- d.  Defendant shall transfer to the levying officer possession of
  - (1)  any documentary evidence in defendant's possession of title to any property described in item 3c;
  - (2)  any documentary evidence in defendant's possession of debt owed to defendant described in item 3c;
  - (3)  the following property in defendant's possession (*specify*):

**NOTICE TO DEFENDANT: FAILURE TO COMPLY WITH THIS ORDER MAY SUBJECT YOU TO ARREST AND PUNISHMENT FOR CONTEMPT OF COURT.**

- e.  Other (*specify*): \_\_\_\_\_
- f. Total number of boxes checked in item 3: \_\_\_\_\_

Date: \_\_\_\_\_

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(TYPE OR PRINT NAME) (SIGNATURE OF JUDGE OR COMMISSIONER)