

**ENDORSED
FILED**

1 Steven T. Kirsch
2 13930 La Paloma Rd
3 Los Altos Hills, CA 94022
4 Phone 650-279-1008

JUN 16 2005

5 Appearing In Pro Per

KIRI TORRE
Chief Executive Officer/Clerk
Superior Court of CA County of Santa Clara
By J. Madden Deputy

6 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
7 **COUNTY OF SANTA CLARA, SMALL CLAIMS DIVISION**

8 Steven T. Kirsch

Case No: 2-04-SC-001196

9 Plaintiff,

10 v.

ASSIGNMENT ORDER

11 Charles Cunningham *et al.*

12 Defendants

Date: June 16, 2005

Time: 1pm

Dept: 86

Judge: Madden

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16 The motion of Steven T. Kirsch came on regularly for hearing on June 16, 2005 before
17 Hon. James P. Madden, in Department 86 of the above-entitled court, with appearances as
18 follows: Steven T. Kirsch appeared as Judgment Creditor and No one
19 appeared for Judgment Debtors Katrina Hartwell and Chartered Financial & Investment
20 Corporation.

21 Judgment was entered against the Defendants on September 9, 2004 for \$2,500 plus \$136
22 in costs. The judgment was amended on January 13, 2005 to add Chartered Financial and
23 Investment Corp to the judgment. The court has determined that this amount has not been paid
24 and therefore as of June 16, 2005, the outstanding balance is: \$2,636 + \$200 interest + \$15.40
25 (cost of this motion): \$2,851.40. This liability for this amount is joint and several.

1 For the purposes of this order, the term INCOME is defined to encompass all non-exempt
2 personal property received by a judgment debtor including wages, commission income,
3 consulting fees, accounts receivable, and any other monetary payments received by a judgment
4 debtor.. INCOME does not include exempt personal property such as 75% of regular wages for
5 debtor Hartwell nor 0% for debtor Chartered
6 Financial & Investment Corporation. The term COMPLETION is defined to be when either: (a)
7 the amount \$2,851.40 (plus 72 cents/day if paid after June 16, 2005) has been fully paid or (b)
8 this order has been amended.

9 The Court having considered the motion, the statutory authority granted in CCP 708.510,
10 the filing memo of points and authorities, and good cause appearing:

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12 IT IS ORDERED:

- 13 1. That the rights to INCOME of judgment debtors Hartwell and Chartered Financial, be
14 and hereby are, assigned to the judgment creditor, Steven T. Kirsch, until
15 COMPLETION.
- 16 2. That debtor Chartered Financial & Investment Corporation pay any INCOME to
17 Steven T. Kirsch to be applied to the judgment herein until COMPLETION.
- 18 3. That debtor Katrina M. Hartwell pay any INCOME to Steven T. Kirsch to be applied
19 to the judgment herein until COMPLETION.
- 20 4. That all third party obligors or payors with knowledge of this order pay INCOME to
21 Steven T. Kirsch to be applied to the judgments herein until COMPLETION.
- 22 5. That all payments ordered herein be tendered every 30 days until COMPLETION.
- 23 6. That to ensure there is a paper record of compliance with this order, that in lieu of
24 appointing a receiver, all payments to judgment creditor Steven T. Kirsch be made by
25 wire transfer to:

26 Bank Name: Wells Fargo Bank, N.A.
27 City/State: San Francisco, CA

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Routing transit number: 121000248

Account number: 0297999013

Account title: Steven T. Kirsch and Carrie A. Anderson

7. That all judgment debtors and any servant, agent, employee or attorney for the judgment debtor and any person(s) in active concert and participating with the judgment debtor shall not encumber, assign, dispose or spend the INCOME until COMPLETION.

NOTICE IS HEREBY GIVEN THAT FAILURE BY THE JUDGMENT DEBTOR OR ANY OBLIGOR TO COMPLY WITH THIS ORDER MAY SUBJECT THE JUDGMENT DEBTOR OR OBLIGOR TO BEING HELD IN CONTEMPT OF COURT.



6/16/05

Jos B. Madde

Dated

ENDORSED
FILED

1 Steven T. Kirsch
13930 La Paloma Rd
2 Los Altos Hills, CA 94022
Phone 650-279-1008

JUN 16 2005

3
4 Appearing In Pro Per

KIRI TORRE
Chief Executive Officer/Clerk
Superior Court of CA, County of Santa Clara
By J. Madden Deputy

5 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
6 **COUNTY OF SANTA CLARA, SMALL CLAIMS DIVISION**
7

8 Steven T. Kirsch
9
10 **Plaintiff,**
11 v.
12 Charles Cunningham *et al.*
13 **Defendants**
14
15

Case No: 2-04-SC-001196

ORDER TO COMPLETE SC-133

Date: June 16, 2005
Time: 1pm
Dept: 86
Judge: Madden

16 The motion of Steven T. Kirsch came on regularly for hearing on June 16, 2005 before
17 Hon. James P. Madden, in Department 86 of the above-entitled court, with appearances as
18 follows: Steven T. Kirsch appeared as Judgment Creditor and No one
19 appeared for Judgment Debtors Katrina Hartwell and Chartered Financial & Investment
20 Corporation.

21 The Court having considered the motion, the statutory authority granted in CCP 116.830,
22 the filing memo of points and authorities, and good cause appearing:

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24 **IT IS ORDERED:**

- 25 1. That debtor Chartered Financial & Investment Corporation return a complete and
26 accurate SC-133 form to the judgment debtor.
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2. That debtor Katrina M. Hartwell return a complete and accurate SC-133 form to the judgment debtor.
3. That the SC-133 forms be faxed to the judgment creditor at (408) 716-2493.
4. That the SC-133 forms be mailed to the judgment credit at the address on page 1 at the top.
5. That the SC-133 forms be mailed within five (5) calendar days from the day each party receives notice of this order.

NOTICE IS HEREBY GIVEN THAT FAILURE BY THE JUDGMENT DEBTOR OR ANY OBLIGOR TO COMPLY WITH THIS ORDER MAY SUBJECT THE JUDGMENT DEBTOR OR OBLIGOR TO BEING HELD IN CONTEMPT OF COURT.

6/16/05

Dated

James B. Rydell



**ENDORSED
FILED**

1 Steven T. Kirsch
13930 La Paloma Rd
2 Los Altos Hills, CA 94022
Phone 650-279-1008

JUN 16 2005

3 Appearing In Pro Per

KIRI TORRE
Chief Executive Officer/Clerk
Superior Court of CA County of Santa Clara
By *J. Madden* Deputy

5 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
6 **COUNTY OF SANTA CLARA, SMALL CLAIMS DIVISION**

8 Steven T. Kirsch

Case No: 2-04-SC-001196

9 Plaintiff,

10 v.

**ORDER AUTHORIZING
SUBSTITUTED SERVICE OF OSC
RE: CONTEMPT**

11 Charles Cunningham *et al.*

12 Defendants

Date: June 16, 2005

Time: 1pm

Dept: 86

Judge: Madden

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16 The motion of Steven T. Kirsch came on regularly for hearing on June 16, 2005 before
17 Hon. James P. Madden, in Department 86 of the above-entitled court, with appearances as
18 follows: Steven T. Kirsch appeared as Judgment Creditor and *No One*
19 appeared for Judgment Debtors Katrina Hartwell and Chartered Financial & Investment
20 Corporation.

21 The Court having considered the motion and the memo of points and authorities filed in
22 this case regarding service of orders to show cause, the testimony about the Defendants history
23 regarding avoidance of service of process, and good cause appearing:

24 IT IS ORDERED:

25 1. That debtor Chartered Financial & Investment Corporation and debtor Katrina M.

26 Hartwell may be served via substituted service for an OSC re:contempt relating to the
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disobedience of any order of this court that the judgment debtor has personal knowledge of.

NOTICE IS HEREBY GIVEN THAT FAILURE BY THE JUDGMENT DEBTOR OR ANY OBLIGOR TO COMPLY WITH THIS ORDER MAY SUBJECT THE JUDGMENT DEBTOR OR OBLIGOR TO BEING HELD IN CONTEMPT OF COURT.



6/16/05

Jos. P. Rydell

Dated

Substituted service pursuant to this order means both of the following:

- 1) Personal delivery of the order to the respective Defendants place of business, and
- 2) Mailing a copy of the Order, postage prepaid to the Defendants place of business.

6/16/05

Jos. P. Rydell