

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

3 Appearing In Pro Per  
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5 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**  
6 **COUNTY OF SANTA CLARA, SMALL CLAIMS DIVISION**  
7

8 Steven T. Kirsch

9 Plaintiff,

10 v.

11 Charles Cunningham *et al.*

12 Defendants  
13  
14

Case No: 2-04-SC-001196

**ASSIGNMENT ORDER**

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 \_\_\_\_\_  
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.  
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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 \_\_\_\_\_ 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:

11  
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.**

\_\_\_\_\_

Dated \_\_\_\_\_