

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:	
<b>RIGHT TO ATTACH ORDER AND ORDER FOR ISSUANCE OF WRIT OF ATTACHMENT AFTER HEARING</b>  <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: \_\_\_\_\_ Courtroom: \_\_\_\_\_

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*): \_\_\_\_\_

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:

.....  
(TYPE OR PRINT NAME)
▶
(SIGNATURE OF JUDGE OR MAGISTRATE JUDGE)