

1 MICHAEL COSENTINO, State Bar No. 83253
Attorney at Law
2 P.O. Box 129
Alameda, CA 94501
3 Telephone: (510) 523-4702

4 Attorney for Plaintiff
United States of America
5
6
7

8 **IN THE UNITED STATES DISTRICT COURT**
9 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**
10 **SAN FRANCISCO DIVISION**

11
12 UNITED STATES OF AMERICA NO. C98-03667 M

13 Plaintiff,

14 v.

15 TUCKER H. DAVIS aka
DAVIS H. TUCKER,

**STIPULATED
GARNISHMENT ORDER**

16 Defendant,

17 and

18 CONCORD GARDEN
EQUIPMENT COMPANY,

19 Garnishee. /

20 IT IS HEREBY STIPULATED by and between Judgment Creditor, United States of
21 America, and Judgment Debtor, TUCKER H. DAVIS aka DAVIS H. TUCKER, that garnishee,
22 CONCORD GARDEN EQUIPMENT COMPANY, withhold \$125.00 each 2 week pay period
23 from Judgment Debtor's non-exempt disposable income, until the entire judgment principal of
24 \$13,932.19, as of April 21, 2010, plus interest at the rate of 4.584% per annum on said
25 principal, compounded annually pursuant to 11 USC §1961(b), until the entire judgment
26 balance has been paid in full or until the garnishee no longer has custody, possession or
27 control of any property belonging to the debtor or until further Order of this court.

28 IT IS HEREBY FURTHER STIPULATED that CONCORD GARDEN EQUIPMENT

1 COMPANY, Garnishee, immediately remit to the United States Department of Justice all
2 withholdings to date.

3 IT IS HEREBY FURTHER STIPULATED that said payments be made payable to the
4 U.S. Department of Justice, and be mailed to the Department of Justice, Central Intake
5 Facility, P.O. Box 70932, Charlotte, NC, 28272-0932, referencing the judgment debtor's CDCS
6 Claim number **1998B13219** on each check for posting purposes.

7 IT IS HEREBY FURTHER STIPULATED that judgment debtor, upon request by mail
8 from judgment creditor to judgment debtor, shall submit a financial statement to judgment
9 creditor annually, the form of which shall be mailed to judgment debtor by judgment creditor.

10 By his signature hereafter, TUCKER H. DAVIS aka DAVIS H. TUCKER acknowledges
11 that he has read, understands and waives all of his rights under the CLERK'S NOTICE OF
12 POST-JUDGMENT GARNISHMENT AND INSTRUCTIONS TO DEFENDANT; REQUEST
13 FOR HEARING FORM; OBJECTION TO GARNISHEE'S ANSWER AND REQUEST FOR
14 HEARING FORM; NOTICE ON HOW TO CLAIM EXEMPTION; CLAIM FOR EXEMPTION
15 FORM and the WRIT OF CONTINUING GARNISHMENT and the APPLICATION FOR WRIT
16 OF CONTINUING GARNISHMENT in exchange for the herein payment stipulation.

17 IT IS HEREBY FURTHER STIPULATED that in accordance with the provisions of Title
18 28 U.S.C. Section 636(c) the parties hereby voluntarily waive their rights to proceed before a
19 judge of the United States District Court and consent to have a United States magistrate judge
20 conduct any and all further proceedings in the case, including trial, and order the entry of a final
21 judgment. It is understood that any appeal from a judgment entered by a magistrate judge will
22 be taken directly to the Ninth Circuit of the United States Court of Appeals in the same manner
23 as an appeal from any other judgment of a District Court.

24 Dated: April 21, 2010

[Signature]
/s/
Michael Cosentino, Counsel for United States

25
26 Dated: April 23, 2010

[Signature]
TUCKER H. DAVIS aka DAVIS H. TUCKER

27
28 **IT IS SO ORDERED**

Dated: April 28, 2010

[Signature]
UNITED STATES MAGISTRATE JUDGE