

EJ-130

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number and address): DAVID J. COOK, ESQ. SBN 060859 COOK COLLECTION ATTORNEYS, PLC 165 Fell Street, San Francisco, CA 94102-5106 Mailing address: P.O. Box 270 San Francisco, CA 94104-0270 File #55,340 TELEPHONE NO: 415 989 4730 FAX NO: 415 989 0491 E-MAIL ADDRESS: Cook@squeezebloodfromturnip.com		FOR COURT USE ONLY																																				
ATTORNEY FOR (Name): Plaintiff <input checked="" type="checkbox"/> ATTORNEY FOR <input checked="" type="checkbox"/> JUDGMENT CREDITOR <input type="checkbox"/> ASSESSOR OF RECORD																																						
UNITED STATES DISTRICT COURT STREET ADDRESS: 450 Golden Gate Avenue MAILING ADDRESS: Same CITY AND ZIP CODE: San Francisco, CA BRANCH NAME: Northern District of California																																						
PLAINTIFF: LUMBER LIQUIDATORS, INC.																																						
DEFENDANT: KEVIN H. SULLIVAN																																						
WRIT OF	<input checked="" type="checkbox"/> EXECUTION (Money Judgment) <input type="checkbox"/> POSSESSION OF <input type="checkbox"/> Personal Property <input type="checkbox"/> SALE <input type="checkbox"/> Real Property	CASE NUMBER: 3:12-MC-80101 WHA																																				
		<input type="checkbox"/> Limited Civil Case <input type="checkbox"/> Small Claims Case <input type="checkbox"/> Unlimited Civil Case <input checked="" type="checkbox"/> Other N. D. Cal.																																				
<p>1. To the Sheriff or Marshal of the County of: EASTERN DISTRICT OF CALIFORNIA You are directed to enforce the judgment described below with daily interest and your costs as provided by law.</p> <p>2. To any registered process server: You are authorized to serve this writ only in accord with CCP 699.080 or CCP 715.040.</p> <p>3. (Name): LUMBER LIQUIDATORS, INC. is the <input checked="" type="checkbox"/> judgment creditor <input type="checkbox"/> assignee of record whose address is shown on this form above the court's name.</p> <p>4. Judgment debtor (name, type of legal entity stated in judgment if not a natural person, and last known address): KEVIN H. SULLIVAN 2541 Chelsea Road Palos Verdes Estates, CA 90274-4309</p> <p><input checked="" type="checkbox"/> Additional judgment debtors on next page</p> <p>5. Judgment entered on (date): 6/14/12</p> <p>6. <input type="checkbox"/> Judgment renewed on (dates):</p> <p>7. Notice of sale under this writ a. <input checked="" type="checkbox"/> has not been requested. b. <input type="checkbox"/> has been requested (see next page).</p> <p>8. <input type="checkbox"/> Joint debtor information on next page.</p> <p>(SEAL)</p>																																						
<p>9. <input type="checkbox"/> See next page for information on real or personal property to be delivered under a writ of possession or sold under a writ of sale.</p> <p>10. <input type="checkbox"/> This writ is issued on a sister-state judgment.</p> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 10%;">11. Total judgment</td> <td style="width: 10%;">\$</td> <td style="width: 80%;">425,437.64</td> </tr> <tr> <td>12. Costs after judgment (per filed order or memo CCP 685.090)</td> <td>\$</td> <td>0.00</td> </tr> <tr> <td>13. Subtotal (add 11 and 12).....</td> <td>\$</td> <td><u>425,437.64</u></td> </tr> <tr> <td>14. Credits</td> <td>\$</td> <td>0.00</td> </tr> <tr> <td>15. Subtotal (subtract 14 from 13)</td> <td>\$</td> <td><u>425,437.64</u></td> </tr> <tr> <td>16. Interest after judgment (per filed affidavit CCP 685.050) (not on GC 6103.5 fees)</td> <td>\$</td> <td>0.00</td> </tr> <tr> <td>17. Fee for issuance of writ</td> <td>\$</td> <td>0.00</td> </tr> <tr> <td>18. Total (add 15, 16, and 17).....</td> <td>\$</td> <td><u>425,437.64</u></td> </tr> <tr> <td>19. Levying officer: (a) Add daily interest from date of writ (at the legal rate on 15) (not on GC 6103.5 fees) of 2.5%</td> <td>\$</td> <td>29.14</td> </tr> <tr> <td>(b) Pay directly to court costs included in 11 and 17 (GC 6103.5, 68637; CCP 699.520(i)).....</td> <td>\$</td> <td>0.00</td> </tr> <tr> <td>20. <input type="checkbox"/> The amounts called for in items 11-19 are different for each debtor. These amounts are stated for each debtor on Attachment 20.</td> <td colspan="2"></td> </tr> <tr> <td colspan="3" style="text-align: center; padding: 5px;"> <p>Issued on (date): <u>7-10-12</u> Clerk, by <u>D. Merry</u>, Deputy</p> <p>NOTICE TO PERSON SERVED: SEE NEXT PAGE FOR IMPORTANT INFORMATION.</p> </td> </tr> </table>			11. Total judgment	\$	425,437.64	12. Costs after judgment (per filed order or memo CCP 685.090)	\$	0.00	13. Subtotal (add 11 and 12).....	\$	<u>425,437.64</u>	14. Credits	\$	0.00	15. Subtotal (subtract 14 from 13)	\$	<u>425,437.64</u>	16. Interest after judgment (per filed affidavit CCP 685.050) (not on GC 6103.5 fees)	\$	0.00	17. Fee for issuance of writ	\$	0.00	18. Total (add 15, 16, and 17).....	\$	<u>425,437.64</u>	19. Levying officer: (a) Add daily interest from date of writ (at the legal rate on 15) (not on GC 6103.5 fees) of 2.5%	\$	29.14	(b) Pay directly to court costs included in 11 and 17 (GC 6103.5, 68637; CCP 699.520(i)).....	\$	0.00	20. <input type="checkbox"/> The amounts called for in items 11-19 are different for each debtor. These amounts are stated for each debtor on Attachment 20.			<p>Issued on (date): <u>7-10-12</u> Clerk, by <u>D. Merry</u>, Deputy</p> <p>NOTICE TO PERSON SERVED: SEE NEXT PAGE FOR IMPORTANT INFORMATION.</p>		
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PLAINTIFF: LUMBER LIQUIDATORS, INC.	CASE NUMBER:
DEFENDANT: KEVIN H. SULLIVAN	3:12-MC-80101 WHA

— Items continued from page 1 —

21. **Additional judgment debtor** (name, type of legal entity stated in judgment if not a natural person, and last known address):

<input type="text"/>	<input type="text"/>	<input type="text"/>
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<input type="text"/>	<input type="text"/>	<input type="text"/>
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22. **Notice of sale** has been requested by (name and address):

<input type="text"/>	<input type="text"/>	<input type="text"/>
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<input type="text"/>	<input type="text"/>	<input type="text"/>
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23. **Joint debtor** was declared bound by the judgment (CCP 989-994)

a. on (date):

b. name, type of legal entity stated in judgment if not a natural person, and last known address of joint debtor:

<input type="text"/>	<input type="text"/>	<input type="text"/>
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<input type="text"/>	<input type="text"/>	<input type="text"/>
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c. additional costs against certain joint debtors (itemize):

24. (**Writ of Possession or Writ of Sale**) **Judgment** was entered for the following:

a. Possession of real property. The complaint was filed on (date):

(Check (1) or (2)):

(1) The Prejudgment Claim of Right to Possession was served in compliance with CCP 415.46.

The judgment includes all tenants, subtenants, named claimants, and other occupants of the premises.

(2) The Prejudgment Claim of Right to Possession was NOT served in compliance with CCP 415.46.

(a) \$ _____ was the daily rental value on the date the complaint was filed.

(b) The court will hear objections to enforcement of the judgment under CCP 1174.3 on the following dates (specify):

b. Possession of personal property. If delivery cannot be had, then for the value (itemize in 24e) specified in the judgment or supplemental order.c. Sale of personal property.d. Sale of real property.

e. Description of property:

NOTICE TO PERSON SERVEDWRIT OF EXECUTION OR SALE. Your rights and duties are indicated on the accompanying *Notice of Levy* (Form EJ-150).

WRIT OF POSSESSION OF PERSONAL PROPERTY. If the levying officer is not able to take custody of the property, the levying officer will make a demand upon you for the property. If custody is not obtained following demand, the judgment may be enforced as a money judgment for the value of the property specified in the judgment or in a supplemental order.

WRIT OF POSSESSION OF REAL PROPERTY. If the premises are not vacated within five days after the date of service on the occupant or, if service is by posting, within five days after service on you, the levying officer will remove the occupants from the real property and place the judgment creditor in possession of the property. Except for a mobile home, personal property remaining on the premises will be sold or otherwise disposed of in accordance with CCP 1174 unless you or the owner of the property pays the judgment creditor the reasonable cost of storage and takes possession of the personal property not later than 15 days after the time the judgment creditor takes possession of the premises.

► A Claim of Right to Possession form accompanies this writ (unless the Summons was served in compliance with CCP 415.46).