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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

VALLEY OF CALIFORNIA, INC.,
Plaintiff,
v.
MARCUS P ROGERS,
Defendant.

Case No. [16-cv-06720-JCS](#)

**ORDER INSTRUCTING CLERK TO
ISSUE WRIT OF ATTACHMENT**

For the reasons discussed in the Court’s previous order (dkt. 44), the Court finds that Plaintiff Valley of California has a right under California law and the Federal Rules of Civil Procedure to attach property in California owned by the late James F. Cotter at the time of his death in the amount of \$234,512. The Clerk is shall issue a writ of attachment for the following categories of such property, excluding any property that is in the custody of any state probate court:

- (1) Real property, including leasehold interests therein, except leasehold estates with unexpired terms of less than one year;
- (2) Equipment of a going business;
- (3) Chattel paper;
- (4) Instruments;
- (5) Negotiable documents of title;
- (6) Securities;
- (7) Money located on Cotter’s business premises;
- (8) Money located other than on Cotter’s business premises, including but not limited to, deposit accounts in excess of \$1,000; except for the aggregate sum of \$1,000 in (i) any deposit accounts and (ii) any money located other than on a premises where a trade, business, or

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profession was conducted by Cotter;

- (9) Safe-deposit boxes;
- (10) Deposit accounts and safe-deposit boxes not exclusively in the name of Cotter;
- (11) Accounts receivable and general intangibles;
- (12) Property subject of pending action or special proceeding;
- (13) Final money judgments;
- (14) Inventory;
- (15) Interest in property in the estate of a decedent, whether the interest arises by testate or

intestate succession.

IT IS SO ORDERED.

Dated: May 5, 2017



JOSEPH C. SPERO
Chief Magistrate Judge