U.S. Bank N	ational Association v. Access Companies, LLC et al	Doc
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9	UNITED STATES DISTRICT COURT	
10	SOUTHERN DISTRICT OF CALIFORNIA	
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12	U.S. BANK NATIONAL	Case No.: 3:20-cv-01234-BEN-BLM
13	ASSOCIATION,	ORDER GRANTING IN PART
14	Plaintiff,	PLAINTIFF'S EX PARTE MOTION FOR JUDGMENT DEBTOR EXAM
15	V.	
16	ACCESS COMPANIES, LLC, and ACCESS DESTINATION SERVICES,	[ECF No. 20]
17	LLC,	
18	Defendants.	
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20	Before the Court is Plaintiff U.S. Bank National Corporation's ("Plaintiff") ex parte	
21	application for a judgment debtor examination. ECF No. 20. Plaintiff requests that the	
22	Court order third party East West to appear for examination and produce certain	
23	documents, to help Plaintiff identify and locate assets of judgment debtors Access	
24	Companies LLC and Access Destination Services. Id. at 2–3. Upon consideration of the	
25	motion and the written submissions before the Court, including the declaration regarding	
26	 the third party and judgment debtors' financial relationship, the ex parte application is GRANTED IN PART as follows: 	
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1 1. Third party East West shall appear for a judgment debtor examination through 2 one or more officers, directors, managing agents, or other persons who are familiar with and knowledgeable about Access Companies LLC and Access Destination Services LLC's 3 (collectively, "Access") property, receivables, and assets, on December 15, 2020 at 4 9:00 a.m. via Zoom or equivalent video technology.¹ to furnish information to aid in 5 enforcement of a money judgment by answering questions about Access's property, 6 7 receivables, and assets. In addition, on or before **December 8, 2020**, East West shall also 8 produce documents identified in the Declaration of Peter E. Masaitis filed as Exhibit B to 9 Plaintiff's ex parte Application for Judgment Debtor Exam (ECF No. 20-1 at 8–17). To 10 facilitate the Court swearing in the judgment debtor before the examination, Plaintiff shall provide the Court (via email at efile goddard@casd.uscourts.gov) the sign in link for the 12 videoconference by **December 10, 2020**.

2. Plaintiff is instructed to serve a copy of its exparte application (ECF No. 20), the Declaration of Peter E. Masaitis (ECF No. 20-1 at 1-3), Exhibit A (ECF No. 20-1 at 4-6), Exhibit B (ECF No. 20-1 at 7–17), and this Order on third party East West no later than twenty (20) days prior to the examination.

IT IS SO ORDERED.

Dated: November 19, 2020

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my H. M. Malard

Honorable Allison H. Goddard United States Magistrate Judge

¹ Should Plaintiff prefer to conduct the debtor examination of East West in person rather than by videoconference, in light of the current COVID-19 public emergency, Plaintiff's request is **denied** until the Court can accommodate in person appearances.