

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION**

**ZURICH AMERICAN INSURANCE
COMPANY,**

Plaintiff,

v.

Case No.: 8:14-cv-775-T-23AAS

STAFFING CONCEPTS NATIONAL, INC.,

et al,

Defendants.

ORDER

Before the Court is Plaintiff Zurich American Insurance Company Second Motion for Writ of Garnishment After Judgment (Doc. 219). Plaintiff seeks a writ of garnishment against Wells Fargo Bank, National Association (“Garnishee”).

Rule 69 of the Federal Rules of Civil Procedure provides that a money judgment is enforced by a writ of garnishment. Fed. R. Civ. P. 69(a)(1). “The procedure on execution . . . must accord with the procedure of the state where the court is located, but a federal statute governs to the extent it applies.” *Id.* Florida law provides a right to a writ of garnishment to judgment creditors to help satisfy a money judgment. Fla. Stat. § 77.01. To obtain a writ of garnishment, the judgment creditor must file a motion stating the amount of the judgment. Fla. Stat. § 77.03. The writ must direct the garnishee to answer the writ within twenty (20) days and state the amount named in the judgment creditor’s motion. Fla. Stat. § 77.04.

On July 21, 2017, Plaintiff obtained a judgment against Defendant Leasing Resources of America 4, Inc. (“LRA4”) in the amount of \$2,801,212. (Doc. 173). The full amount of the judgment remains due and owing. Based on the information provided to the Court, LRA4

maintains a bank account with Garnishee, and Garnishee may therefore be in the possession of funds belonging to LRA4. (Doc. 219).

Attaching a proposed writ that directs the garnishee to respond within twenty (20) days and that states the amount named in the judgment creditor's motion as required by statute, Plaintiff moves for a writ of garnishment against Wells Fargo Bank, National Association.

Accordingly and upon consideration, it is **ORDERED** that:

- (1) Plaintiff's Second Motion for Writ of Garnishment After Judgment (Doc. 219) is **GRANTED**.
- (2) The Clerk of Court shall issue a writ of garnishment to the named garnishee using the form attached to Plaintiff's motion and the address for the garnishee contained in the form (Doc. 219, Ex. A). The writ shall include copies of the following:
 - a. Plaintiff's Second Motion for Writ of Garnishment After Judgment (Doc. 219),
 - b. this Order, and
 - c. the judgment (Doc. 173).

DONE AND ORDERED in Tampa, Florida on this 29th day of November, 2017.



AMANDA ARNOLD SANSONE
United States Magistrate Judge