

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF LOUISIANA

UNITED STATES OF AMERICA

CIVIL ACTION

VERSUS

MERLIN LEE, ET AL.

NO.: 09-00906-BAJ

STIPULATED WAGE GARNISHMENT ORDER

A Writ of Continuing Garnishment, directed to the garnishee, Waste Management LA, LLC, has been duly issued and served upon the garnishee. Pursuant to the Writ of Continuing Garnishment (Doc. 11), the garnishee filed an Answer on November 15, 2012, stating that at the time of the service of the Writ that it had in its possession or under its control personal property belonging to and due defendant, Merlin Lee, in the form of wages, that the defendant is paid on a weekly basis, and that the defendant earned gross wages of \$812.46 for the pay period in effect on the date of service. (Doc. 12.)

The defendants, Merlin and Dianne Lee, were served on January 24, 2013 and did not request a hearing to determine exempt property. (Docs. 14, 15.)

As shown by its counsel's signature below, the United States has stipulated to accepting for the purpose of this garnishment a smaller percentage of each employee's earnings than the 25% provided for in 28 U.S.C. §3205 and 15 U.S.C. §1673(a), with the reduction effective February 1, 2013. Considering the foregoing,

IT IS ORDERED that garnishee shall deduct and pay to the United States the **lesser** of:

1. 25% of defendant's disposable earnings for each and every pay period that the defendant is employed by garnishee and due wages for the period from November 5, 2012 until January 31, 2013; then reduced to 15% of defendant's disposable earnings for each and every pay period that the defendant is employed by garnishee and due wages for the period beginning February 1, 2013; or
2. All amounts of defendant's disposable earnings in excess of thirty (30) times the federal minimum wage in effect at the time the earnings are payable [\$7.25 per hour effective July 24, 2009] for each and every pay period that the defendant is employed by garnishee and due wages;

that the garnishment payments to the United States under this garnishment begin immediately, and that garnishee continue said payments until the debt to the United States is paid in full, or until the garnishee no longer has custody, possession or control of any property belonging to defendant, or until further order of this court.

Payments to the United States shall be made by garnishee's check, no less frequently than monthly, payable to United States Department of Justice, and mailed to the Department of Justice Nationwide Central Intake Facility at Post Office Box 790363, St. Louis, Missouri 63179-0363, or such other address as garnishee is directed in writing by the United States Attorney's Office.

The United States stipulates that effective February 1, 2013 it will accept for the purpose of this garnishment 15% of defendant's disposable earnings, rather than the 25% to which it is entitled under applicable federal law.

UNITED STATES OF AMERICA, by

DONALD J. CAZAYOUX, JR.
UNITED STATES ATTORNEY

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Baton Rouge, Louisiana, this 13th day of June, 2013.



**BRIAN A. JACKSON, CHIEF JUDGE
UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF LOUISIANA**