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Judge James L. Robart

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

RODNEY LEE BURNS,

Defendant/Judgment Debtor,

and

AREVA NP INC.,

Garnishee.

Case No. 2:17-cv-00878-JLR

(2:17-MC-00048)
(2:00-CR-00326)

**Stipulated Continuing Garnishee
Order**

A Writ of Continuing Garnishment directed to Garnishee, Areva NP Inc. (Areva) has been duly issued and served upon the Garnishee. Pursuant to the Writ, Garnishee Areva, filed its Answer on June 2, 2017, stating that at the time of the service of the Writ, Defendant/Judgment Debtor Rodney Lee Burns (Mr. Burns) was an active employee who was paid semi-monthly. Dkt. no. 6.

UNITED STATES' STIPULATED MOTION FOR
CONTINUING GARNISHEE ORDER
Nos. 2:17-cv-0878-JLR; 2:00-CR-00326) - 1

UNITED STATES ATTORNEY
700 Stewart Street, Suite 5220
Seattle, Washington 98101-1271
(206) 553-7970

1 After notification of the garnishment proceeding was mailed to the
2 parties on or about May 19, 2017, Mr. Burns objected to the writ of
3 garnishment and requested a hearing to determine exempt property. Dkt. no.
4 7. The Court set a hearing for June 20, 2017. Dkt. no. 9.

5
6 On June 13, 2017, the United States filed a Stipulated Motion for
7 Continuing Garnishee Order, stating that it had agreed with Mr. Burns to
8 request a reduced garnishment rate of 10 percent of his disposable earnings at
9 Areva, and in exchange Mr. Burns had agreed to withdraw his objection to the
10 garnishment. The United States attached a jointly presented Stipulated
11 Continuing Garnishee Order to that effect.

12
13 IT IS THEREFORE ORDERED as follows:

14 That Mr. Burns's Objection to the garnishment [dkt. no. 7] is dismissed
15 as moot and the June 20, 2017 hearing is vacated;

16
17 That Garnishee Areva shall pay to the Court, all non-exempt earnings
18 payable to Mr. Burns that it has previously withheld pursuant to the Writ of
19 Garnishment;

20 That from this date forward, Areva shall withhold and pay to the Court
21 only 10 percent of the disposable earnings payable to Mr. Burns upon each
22 period of time when Mr. Burns is entitled to receive such funds, and shall
23 continue such payments, if any, until Mr. Burns's debt is paid in full or until
24 he is no longer an active employee of Garnishee and the Garnishee no longer
25 has possession, custody, or control of any funds due and owing to Mr. Burns,
26 or until further order of this Court;
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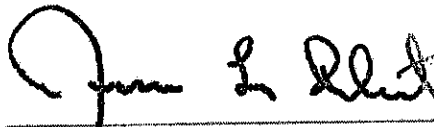
1 That Garnishee Areva shall pay to the Court the entire amount (less any
2 federal tax withholdings paid to the Internal Revenue Service) of non-exempt
3 property from Mr. Burns's 401(k) Account in Areva's possession, custody, or
4 control, in which Mr. Burns maintains a vested interest and is presently
5 eligible to withdraw, or becomes eligible to withdraw;
6

7 That the Court shall apply all such payments to Mr. Burns's outstanding
8 obligation in Case No. 2:00-CR-00326; and

9 That the payments shall be made out to the United States District Court,
10 Western District of Washington, referencing Case Nos. 2:00-CR-00326 and
11 2:17-CV-00878-JLR, and delivered either personally or by First Class Mail to:

12
13 United States District Court, Western District of Washington
14 Attn: Financial Clerk - Lobby Level
15 700 Stewart Street
16 Seattle, Washington 98101.


16 DATED this 13th day of June, 201~~6~~⁷.

17
18 

19 JAMES L. ROBART
20 United States District Court Judge

21 Presented by:

22 s/ Kyle A. Forsyth
23 KYLE A. FORSYTH, WSEA # 34609
24 Assistant United States Attorney

25 
26 RODNEY LEE BURNS
27 Defendant/Judgment Debtor
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