

1 UNITED STATES DISTRICT COURT
 2 WESTERN DISTRICT OF WASHINGTON
 3 AT TACOMA

4 SAN JUAN CONSTRUCTION, INC.,

5 Plaintiff,

6 v.

7 R. CUSTOM EXCAVATION, INC., and
 8 UPPER HUDSON NATIONAL INSURANCE
 9 GROUP

10 Defendants,

11 M&T SECURITIES, INC.,

12 Garnishee.

NO: 3:14-mc-05027-BHS

**JUDGMENT ON ANSWER AND
 ORDER TO PAY**

(JDAGD)

13 This matter came before the Court on Plaintiff San Juan Construction, Inc.'s Motion for
 14 Judgment on Answer and Order to Pay. Pursuant to RCW 6.27.250(1) and Federal Rule of
 15 Civil Procedure 69, the Court, having reviewed the Motion and pleadings and records on file
 16 herein,

17 IT IS HEREBY ORDERED that Plaintiff's Motion is granted. Garnishee M&T
 18 Securities, Inc., is ordered to pay \$201,142.92 to the Court registry. The Court finds this
 19 amount is in accordance with the funds of Defendant Upper Hudson National Insurance Group
 20 that M&T Securities, Inc., reported it had in its possession or control in the Answer to the Writ
 21 of Garnishment that M&T Securities, Inc., filed with the Court. (Dkt. 4)

22 The Court also finds that pursuant to RCW 6.27.250(1), San Juan Construction, Inc.,
 23 has submitted the required certificate of service of the Writ of Garnishment and Application on
 24 Upper Hudson National Insurance Group. (Dkt. 5) Upper Hudson National Insurance Group
 25 failed to controvert M&T Securities, Inc.'s Answer to the Writ of Garnishment within its 20-
 26 day period to do so under RCW 6.27.210.

27 Garnishee M&T Securities, Inc., shall make payment of \$201,142.92 out to the United
 States District Court, Western District of Washington, referencing Case No. MC14-5027-BHS

JUDGMENT AND ORDER TO PAY (JDAGD) - 1
 3:14-mc-05027-BHS
 DWT 25619916v1 0086794-000032

Davis Wright Tremaine LLP
 LAW OFFICES
 Suite 2200
 1201 Third Avenue
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 206.622.3150 main · 206.757.7700 fax

1 and C14-5722-RBL, and delivered either personally or by First Class Mail to:

2 United States District Court
3 Western District of Washington
4 Attn: Financial Clerk – Lobby Level
5 700 Stewart Street
6 Seattle, Washington 98101

7 The clerk of the court shall note receipt of the funds and is ordered to forthwith disburse
8 such payment to Mr. John C. Theiss, Plaintiff's counsel.

9 Payment of these funds shall be applied to the outstanding judgment Upper Hudson
10 National Insurance Group owes San Juan Construction, Inc., in Case No. C14-5722-RBL. This
11 judgment and order is in conformance with the requirements of RCW 6.27.265.

12 M&T Securities, Inc., as garnishee is advised that failure to pay its judgment amount
13 may result in execution of the judgment, including garnishment.

14 Dated this 26th day of January, 2015.

15 

16 BENJAMIN H. SETTLE
17 United States District Judge

18 Court Address:

19 United States District Court
20 1717 Pacific Avenue, Room 3100
21 Tacoma, Washington 98402-3200

22 Presented by:

23 _____
24 Attorney for Plaintiff
25 John C. Theiss, WSBA #24488
26 Davis Wright Tremaine LLP
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