

**IN THE UNITED STATES DISTRICT COURT FOR
THE SOUTHERN DISTRICT OF WEST VIRGINIA**

HUNTINGTON DIVISION

SWVA, INC., a Delaware corporation,
occasionally d/b/a SWVA and/or
STEEL OF WEST VIRGINIA,

Plaintiff,

v.

CIVIL ACTION NO. 3:09-0074

WILLIAM EARL LYND, JR.,

Defendant.

ORDER

This Court entered an Order for Attachment (Doc. 9) on February 6, 2009, granting the Plaintiff, SWVA, Inc. (“SWVA”), the right to attach funds the Defendant, William Earl Lynd (“Defendant”) has requested to be removed from the SWVA, Inc. Collective Bargaining Agreement Unit Retirement Plan. For the Order of Attachment to be effective, SWVA must first follow West Virginia Code § 38-7-8, which requires it to give bond with good security, approved by the clerk issuing the attachment, in a penalty of at least double the estimated value of the property to be attached.

SWVA submitted an affidavit by John O’Connor, which states that such funds subject to attachment are approximately Two Thousand Two Hundred Dollars (\$2,200.00). Therefore, the Court **DIRECTS** SWVA to post bond at least double the approximation amount provided in its affidavit before the Order of Attachment can be effective.

The Court **DIRECTS** the Clerk to send a copy of this written Order to counsel of record and any unrepresented parties.

ENTER: February 10, 2009

A handwritten signature in black ink, appearing to read 'Robert C. Chambers', written over a horizontal line.

ROBERT C. CHAMBERS
UNITED STATES DISTRICT JUDGE