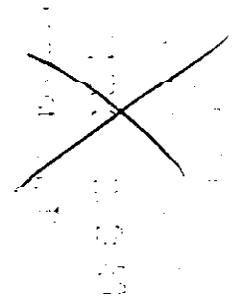


IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF IOWA
CEDAR RAPIDS DIVISION



FILED
U.S. BANKRUPTCY COURT
NORTHERN DISTRICT OF IOWA

APR 03 1989

BARBARA A. EVERLY, CLERK

IN RE:)
HUGH F. CARNEY,)
Debtor.)
-----)
FARMERS STATE BANK,)
Plaintiff,)
v.)
HUGH F. CARNEY,)
Defendant.)

No. L-88-00193-C

Adversary No. L-88-0174C

JUDGMENT

This matter came before the Court on March 28, 1989, on the Plaintiff's complaint for determination excepting debt from discharge, and the Court finds as follows:

1. The parties have agreed that the debt owed by Defendant to Plaintiff should be excepted from discharge and that Plaintiff is entitled to judgment against Defendant in the amount of \$2,000 plus interest at the rate of 10% from the date hereof.

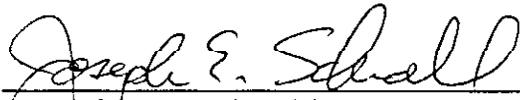
IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that Farmers State Bank be and hereby is awarded judgment against the Defendant Hugh F. Carney in the amount of \$2,000 plus interest at the rate of 10% from the date hereof.

DATED this 3rd day of April, 1989.



MICHAEL J. MELLOY, JUDGE
UNITED STATES BANKRUPTCY COURT FOR
THE NORTHERN DISTRICT OF IOWA

Approved as to form and content:



Joseph E. Schmall
Attorney for Farmers State Bank



Walter J. Steggall, Jr.
Attorney for Hugh F. Carney

RECORDED: Vol. II
Page 126

Copy to:
Atty. for Plaintiff
Atty. for Defendant
UST
APR 4 1989 

FILED
U.S. BANKRUPTCY COURT
NORTHERN DISTRICT OF IOWA

JUL 25 1989

BARBARA A. EVERLY, CLERK

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF IOWA
CEDAR RAPIDS DIVISION

IN RE:)	
)	
HUGH F. CARNEY,)	
)	
Debtor,	)	NO. L-88-00193-C
)	
FARMERS STATE BANK	)	ADVERSARY NO. L-88-0174C
)	
vs.	)	PRECIPE
)	
HUGH F. CARNEY,)	
)	
Defendant.)	

TO CLERK OF BANKRUPTCY COURT:

You will please issue a writ of execution in the above entitled cause to Sheriff of Linn County.

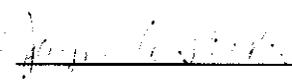
I do hereby certify that there is now due and unpaid on the Judgment \$2,000.00 plus interest at an annual rate of 10.00% from April 3, 1989. No payments have been made.

Dated this 20 day of July, 1989.



 JOSEPH E. SCHMALL
 of
 BRADLEY & RILEY, P.C.
 P.O. Drawer 2804
 Cedar Rapids, IA 52406-2804
 (319) 363-0101
 ATTORNEY FOR PLAINTIFF

Subscribed and sworn to before me this 20th day of July, 1989.



 JAYNE A. RECKER

Vol. II
PAGE 126

FILED
U.S. BANKRUPTCY COURT
NORTHERN DISTRICT OF IOWA

JUL 25 1989

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF IOWA
CEDAR RAPIDS DIVISION

BARBARA A. EVERLY, CLERK

IN RE:)	
HUGH F. CARNEY,)	
)	
Debtor,	)	NO. L-88-00193-C
)	
FARMERS STATE BANK	)	ADVERSARY NO. L-88-0174C
)	
vs.	)	NOTICE OF GARNISHMENT
)	
HUGH F. CARNEY,)	
)	
Defendant.)	

TO THE ABOVE-NAMED DEFENDANT:

YOU ARE HEREBY NOTIFIED that a Garnishment was issued based on a Judgment against you and the Garnishment was served on Cedar Rapids Toyota, 675 Blairs Ferry Road, Marion, Iowa 52302 who has answered that it is indebted to you.

YOU ARE FURTHER NOTIFIED that unless you file a Motion, Answer, or other appropriate pleading to contest the Garnishment within ten (10) days from the date this Notice was served on you explaining why you think these funds are exempt from execution under state or federal law, a Court Order will be entered condemning the funds and the funds will be applied against the Judgment. Some examples of exempt funds may include social security benefits, A.F.D.C., general assistance, veteran's benefits, and unemployment compensation. These examples are not a complete list and are not meant to be.

ANY Motion, Answer or other pleading that you file to contest the Garnishment must be filed in the office of the Clerk of the Bankruptcy Court at the Bankruptcy Courthouse located at Federal Building, Cedar Rapids, Iowa. If you file to contest the Garnishment, a prompt hearing will be set and you will be notified of the hearing. At the hearing, you should be ready to explain to the Judge why you believe your property is exempt from the Garnishment. Section 642.14 of the Iowa Code requires that you be told the exact language of Section 630.3A of the Iowa Code. That section reads:

At any time after the rendition of judgment the court, upon application of the judgment creditor or the judgment debtor and upon notice to the adverse party as the court shall direct, shall conduct a hearing to determine the reasonably expected annual earnings of

the judgment debtor for the current calendar year and the applicable limitation upon garnishment as provided in Section 642.21. The court shall also consider in the interest of justice whether a greater amount than provided in Section 642.21 shall be exempt from garnishment. In making the determination, the court shall consider the age, number and circumstances of the dependents of the debtor, existing federal poverty level guidelines, the debtor's maintenance and support needs, the debtor's other financial obligations and any other relevant information. An order reducing the garnishment may be modified or vacated upon the application of a party to the court, notice to the adverse party, and a showing at a hearing of changed circumstances. An additional filing fee shall not be assessed for proceedings under this section.

YOU MAY WISH TO CONSULT A LAWYER FOR ADVICE AS TO THE MEANING OF THIS NOTICE.



JOSEPH E. SCHMALL
BRADLEY & RILEY, P.C.
100 First Street, S.W.
P.O. Drawer 2804
Cedar Rapids, IA 52406-2804
(319) 363-0101

JUL 31 1989
Copy mailed to
filing attorney

MLB

United States Bankruptcy Court

For the NORTHERN District of IOWA

WRIT OF EXECUTION

To: The United States Marshal for the Northern District of Iowa,

Greeting:

On the 3rd day of April, 19 89, judgment was rendered in this action that the plaintiff, Farmers State Bank, shall recover from the defendant, Hugh F. Carney, the sum of \$ 2,000.00 together with interest thereon at the rate of 10.00 percent per annum from the 3rd day of April, 19 , until paid, and \$ costs were taxed against the defendant, Hugh F. Carney. The judgment was duly entered and docketed in the records of the clerk of this court on the 3rd day of April, 19 89, but no part of the judgment, interest thereon, or costs has been paid or satisfied.

Therefore:

You are hereby commanded to expose to execution sale so much of the property of the defendant, , as may have been attached at the commencement of this action to insure enforcement of the judgment as is necessary to satisfy the judgment, accrued interest thereon, costs of suit, and your execution costs and expenses, the property that was attached being described as follows:

If such property is insufficient to satisfy the aforementioned amounts due from the defendant, , you are further commanded to subject to execution sale sufficient of the defendant's other nonexempt personal property situated in your district as may be necessary to satisfy the remaining balance, and if such personal property is insufficient, then you are commanded to satisfy any final balance by a levy on and sale of sufficient of the defendant's remaining nonexempt real property situated within your district.

You are further commanded to return this writ with an endorsement thereon showing the manner of your compliance with its terms, together with the proceeds from the execution sale or sales, by the day of , 19 .



[Seal of the U.S. Bankruptcy Court]

Date of issuance: July 31, 1989

BARBARA A. EVERLY

Clerk of Bankruptcy Court
P. O. Box 74890
Cedar Rapids, IA 52407

By: May Low Brunkhorst
Deputy Clerk

Vol II
Page 126

original mailed to Joseph E. Schmall, Atty 7/31/89 MEB

BRADLEY & RILEY, P.C.

A PROFESSIONAL CORPORATION
ATTORNEYS AND COUNSELORS

F. JAMES BRADLEY
BYRON G. RILEY
MICHAEL K. DENNEY
PATRICK M. COURTNEY
DONALD G. THOMPSON
KELLY R. BAIER
GREGORY J. SEYFER
MARGARET D. VAN HOUTEN
DEAN A. SPINA
JOSEPH E. SCHMALL
STEVEN D. NELSON
ELIZABETH A. SPARKS

FIRST CORPORATE PLACE
100 FIRST STREET, S.W.
CEDAR RAPIDS, IOWA 52404

TELEPHONE: (319) 363-0101
TELECOPIER: (319) 363-9824

MAILING ADDRESS:
P.O. DRAWER 2804
CEDAR RAPIDS, IOWA 52400-2804

FILED
U.S. BANKRUPTCY COURT
NORTHERN DISTRICT OF IOWA

JUL 25 1989

BARBARA A. EVERLY, CLERK

July 24, 1989

Miss Mary Lou Burnkhorst
Office of the Clerk of the
United States Bankruptcy
Court for the Northern
District of Iowa
U.S. Courthouse
P.O. Box 74890
Cedar Rapids, IA 52407

RE: Hugh F. Carney, Adversary No. 1-88-0174C

Dear Mary Lou:

We enclose a Precipe requesting a Writ of Execution be issued to the U.S. Marshall to garnish wages of Hugh F. Carney pursuant to the enclosed Directions to Marshall. We also enclose two Original Notices of Garnishment to be served on the employer and the Defendant Hugh F. Carney.

Finally, we enclose the partially completed Writ of Execution as we discussed.

Please contact our office if any further information is needed.

Sincerely,

BRADLEY & RILEY, P.C.

Jayne A. Recker
Jayne A. Recker
Legal Assistant

JAR/js
Enclosures

*Writ and 1 copy Notice of Garnishment + Original
Directions to Marshall dated 7/31/89
MLB*

U.S. Department of Justice
United States Marshals Service

PROCESS RECEIPT AND RETURN
See Instructions for "Service of Process by the U.S. Marshal"
on the reverse of this form.

BKY

PLAINTIFF Farmers State Bank		COURT CASE NUMBER L-88-00193-C
DEFENDANT Hugh F. Carney		TYPE OF PROCESS

U.S. DISTRICT COURT
NORTHERN DISTRICT OF IOWA
AUG 11 1989
BARBARA A. EVELLY, CLERK

SERVE AT { NAME OF INDIVIDUAL, COMPANY, CORPORATION, ETC., TO SERVE OR DESCRIPTION OF PROPERTY TO SEIZE OR CONDEMN
Cedar Rapids Toyota
ADDRESS (Street or RFD, Apartment No., City, State and ZIP Code)
675 Blairs Ferry Road, Marion, IA 52302

SEND NOTICE OF SERVICE COPY TO REQUESTER AT NAME AND ADDRESS BELOW: Joseph E. Schmall BRADLEY & RILEY, P.C. P.O. Drawer 2804 Cedar Rapids, IA 52406	Number of process to be served with this Form - 285	1
	Number of parties to be served in this case	1
	Check for service on U.S.A.	

SPECIAL INSTRUCTIONS OR OTHER INFORMATION THAT WILL ASSIST IN EXPEDITING SERVICE (Include Business and Alternate Addresses, All Telephone Numbers, and Estimated Times Available For Service):
Please garnish the wages and/or commissions of Hugh F. Carney at Cedar Rapids Toyota, 675 Blairs Ferry Road, Marion, Iowa 52302

Signature of Attorney or other Originator requesting service on behalf of: <i>Joseph E. Schmall</i> Joseph E. Schmall	<input checked="" type="checkbox"/> PLAINTIFF <input type="checkbox"/> DEFENDANT	TELEPHONE NUMBER (319) 363-0101	DATE 8/9/89
---	---	------------------------------------	----------------

SPACE BELOW FOR USE OF U.S. MARSHAL ONLY — DO NOT WRITE BELOW THIS LINE

I acknowledge receipt for the total number of process indicated. <i>(Sign only first USM 285 if more than one USM 285 is submitted)</i>	Total Process	District of Origin No. 29	District to Serve No. 29	Signature of Authorized USMS Deputy or Clerk <i>DOR</i>	Date 8-10-89
--	---------------	------------------------------	-----------------------------	--	-----------------

I hereby certify and return that I have personally served, have legal evidence of service, have executed as shown in "Remarks", the process described on the individual, company, corporation, etc., at the address shown above or on the individual, company, corporation, etc., shown at the address inserted below.
 I hereby certify and return that I am unable to locate the individual, company, corporation, etc., named above (See remarks below)

Name and title of individual served (if not shown above)	<input type="checkbox"/> A person of suitable age and discretion then residing in the defendant's usual place of abode.
Address (complete only if different than shown above)	Date of Service 8-11-89
	Time 1:15 pm
	Signature of U.S. Marshal or Deputy <i>Jack Repentheim, DUS</i>

Service Fee \$3.00	Total Mileage Charges (including endeavors) \$7.20	Forwarding Fee -	Total Charges \$10.20	Advance Deposits	Amount owed to U.S. Marshal or Amount of Refund
-----------------------	---	---------------------	--------------------------	------------------	---

REMARKS:

VOL. II
Pg. 126

United States Bankruptcy Court

For the NORTHERN District of IOWA

WRIT OF EXECUTION

To: The United States Marshal for the Northern District of Iowa,

Greeting:

On the 3rd day of April, 19 89, judgment was rendered in this action that the plaintiff, Farmers State Bank, shall recover from the defendant, Hugh F. Carney, the sum of \$ 2,000.00 together with interest thereon at the rate of 10.00 percent per annum from the 3rd day of April, 19 89, until paid, and \$ _____ costs were taxed against the defendant, Hugh F. Carney. The judgment was duly entered and docketed in the records of the clerk of this court on the 3rd day of April, 19 89, but no part of the judgment, interest thereon, or costs has been paid or satisfied.

Therefore:

You are hereby commanded to expose to execution sale so much of the property of the defendant, _____, as may have been attached at the commencement of this action to insure enforcement of the judgment as is necessary to satisfy the judgment, accrued interest thereon, costs of suit, and your execution costs and expenses, the property that was attached being described as follows:

If such property is insufficient to satisfy the aforementioned amounts due from the defendant, _____, you are further commanded to subject to execution sale sufficient of the defendant's other nonexempt personal property situated in your district as may be necessary to satisfy the remaining balance, and if such personal property is insufficient, then you are commanded to satisfy any final balance by a levy on and sale of sufficient of the defendant's remaining nonexempt real property situated within your district.

You are further commanded to return this writ with an endorsement thereon showing the manner of your compliance with its terms, together with the proceeds from the execution sale or sales, by the _____ day of _____, 19 _____.



[Seal of the U.S. Bankruptcy Court]

Date of issuance: July 31, 1989

BARBARA A. EVERLY

Clerk of Bankruptcy Court
P. O. Box 74890
Cedar Rapids, IA 52407

By:

Mary Lou Brunkhorst
Deputy Clerk

FILED
U.S. BANKRUPTCY COURT
NORTHERN DISTRICT OF IOWA

DEC 19 1989

BARBARA A. EVERLY, CLERK

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF IOWA
CEDAR RAPIDS DIVISION

IN RE:)	
)	
HUGH F. CARNEY,)	
)	
Debtor,	)	NO. L-88-00193-C
)	
FARMERS STATE BANK	)	ADVERSARY NO. L-88-0174C
)	
vs.	)	NOTICE OF GARNISHMENT
)	
HUGH F. CARNEY,)	
)	
Defendant.)	

TO THE ABOVE-NAMED DEFENDANT:

YOU ARE HEREBY NOTIFIED that a Garnishment was issued based on a Judgment against you and the Garnishment was served on Cedar Rapids Toyota, 675 Blairs Ferry Road, Marion, Iowa 52302 who has answered that it is indebted to you.

YOU ARE FURTHER NOTIFIED that unless you file a Motion, Answer, or other appropriate pleading to contest the Garnishment within ten (10) days from the date this Notice was served on you explaining why you think these funds are exempt from execution under state or federal law, a Court Order will be entered condemning the funds and the funds will be applied against the Judgment. Some examples of exempt funds may include social security benefits, A.F.D.C., general assistance, veteran's benefits, and unemployment compensation. These examples are not a complete list and are not meant to be.

ANY Motion, Answer or other pleading that you file to contest the Garnishment must be filed in the office of the Clerk of the Bankruptcy Court at the Bankruptcy Courthouse located at Federal Building, Cedar Rapids, Iowa. If you file to contest the Garnishment, a prompt hearing will be set and you will be notified of the hearing. At the hearing, you should be ready to explain to the Judge why you believe your property is exempt from the Garnishment. Section 642.14 of the Iowa Code requires that you be told the exact language of Section 630.3A of the Iowa Code. That Section reads:

At any time after the rendition of judgment the court, upon application of the judgment creditor or the judgment debtor and upon notice to the adverse party as the court shall direct, shall conduct a hearing to determine the reasonably expected annual earnings of

the judgment debtor for the current calendar year and the applicable limitation upon garnishment as provided in Section 642.21. The court shall also consider in the interest of justice whether a greater amount than provided in Section 642.21 shall be exempt from garnishment. In making the determination, the court shall consider the age, number and circumstances of the dependents of the debtor, existing federal poverty level guidelines, the debtor's maintenance and support needs, the debtor's other financial obligations and any other relevant information. An order reducing the garnishment may be modified or vacated upon the application of a party to the court, notice to the adverse party, and a showing at a hearing of changed circumstances. An additional filing fee shall not be assessed for proceedings under this section.

YOU MAY WISH TO CONSULT A LAWYER FOR ADVICE AS TO THE MEANING OF THIS NOTICE.



JOSEPH E. SCHMALL
BRADLEY & RILEY, P.C.
100 First Street, S.W.
P.O. Drawer 2804
Cedar Rapids, IA 52406-2804
(319) 363-0101

Copy mailed to
filing attorney

DEC 2 8 1989 

United States Bankruptcy Court

For the Northern District of Iowa

WRIT OF EXECUTION

To: The United States Marshal for the Northern District of Iowa

Greeting:

On the 3rd day of April, 1989, judgment was rendered in this action that the plaintiff, Farmers State Bank, shall recover from the defendant, Hugh F. Carney, the sum of \$ 2,000.00 together with interest thereon at the rate of 10.00 percent per annum from the 3rd day of April, 1989, until paid, and \$ costs were taxed against the defendant, Hugh F. Carney. The judgment was duly entered and docketed in the records of the clerk of this court on the 3rd day of April, 1989, but no part of the judgment, interest thereon, or costs has been paid or satisfied.

Therefore:

You are hereby commanded to expose to execution sale so much of the property of the defendant, as may have been attached at the commencement of this action to insure enforcement of the judgment as is necessary to satisfy the judgment, accrued interest thereon, costs of suit, and your execution costs and expenses, the property that was attached being described as follows:

If such property is insufficient to satisfy the aforementioned amounts due from the defendant, you are further commanded to subject to execution sale sufficient of the defendant's other nonexempt personal property situated in your district as may be necessary to satisfy the remaining balance, and if such personal property is insufficient, then you are commanded to satisfy any final balance by a levy on and sale of sufficient of the defendant's remaining nonexempt real property situated within your district.

You are further commanded to return this writ with an endorsement thereon showing the manner of your compliance with its terms, together with the proceeds from the execution sale or sales, by the day of _____, 19__.



[Seal of the U.S. Bankruptcy Court]

Barbara A. Eruby
Clerk of Bankruptcy Court

~~DK~~ Deputy Clerk

Date of issuance: December 20, 1989

*Vol. II
Page 126*

*(checked up by runner)
Original mailed to Joe E. Schmall, Atty 12-20-89 JS*

U.S. Department of Justice
United States Marshals Service

PROCESS RECEIPT AND RETURN

See Instructions for "Service of Process by the U.S. Marshal" on the reverse of this form.

1-2-90

PLAINTIFF Farmers State Bank	COURT CASE NUMBER L-88-00193-C
DEFENDANT Hugh F. Carney	TYPE OF PROCESS EXECUTION - (Garnishment)

SERVE AT

NAME OF INDIVIDUAL, COMPANY, CORPORATION, ETC., TO SERVE OR DESCRIPTION OF PROPERTY TO SEIZE OR CONDEMN
Cedar Rapids Toyota, office manager, Donna and Hugh F. Carney

ADDRESS (Street or RFD, Apartment No., City, State and ZIP Code)
675 Blairs Ferry Road, Marion, IA 52302

SEND NOTICE OF SERVICE COPY TO REQUESTER AT NAME AND ADDRESS BELOW:

Joseph E. Schmall BRADLEY & RILEY, P.C. P.O. Drawer 2804 Cedar Rapids, IA 52406	Number of process to be served with this Form - 285	
	Number of parties to be served in this case	
	Check for service on U.S.A.	

SPECIAL INSTRUCTIONS OR OTHER INFORMATION THAT WILL ASSIST IN EXPEDITING SERVICE (Include Business and Alternate Addresses, All Telephone Numbers, and Estimated Times Available For Service):

Please garnish the wages and/or commissions of Hugh F. Carney at Cedar Rapids Toyota, 675 Blairs Ferry Road, Marion, Iowa 52302

Signature of Attorney or other Originator requesting service on behalf of:
Joseph E. Schmall
Joseph E. Schmall

PLAINTIFF
 DEFENDANT

TELEPHONE NUMBER (319) 363-0101

DATE 12/18/89

DEC 22 1989
U.S. MARSHAL SERVICE
NORTH IOWA DISTRICT OF IOWA

SPACE BELOW FOR USE OF U.S. MARSHAL ONLY DO NOT WRITE BELOW THIS LINE

I acknowledge receipt for the total number of process indicated. (Sign only first USM 285 if more than one USM 285 is submitted)	Total Process	District of Origin No. 29	District to Serve No. 29	Signature of Authorized USMS Deputy or Clerk <u>DLR</u>	Date 12-22-89
---	---------------	------------------------------	-----------------------------	--	------------------

I hereby certify and return that I have personally served, have legal evidence of service, have executed as shown in "Remarks", the process described on the individual, company, corporation, etc., at the address shown above or on the individual, company, corporation, etc., shown at the address inserted below.

I hereby certify and return that I am unable to locate the individual, company, corporation, etc., named above (See remarks below)

Name and title of individual served (if not shown above) <u>DONNA TERWILLIGER, Payroll</u>	<input type="checkbox"/> A person of suitable age and discretion then residing in the defendant's usual place of abode.	
Address (complete only if different than shown above)	Date of Service 12-29-89	Time 9:30 am
	Signature of U.S. Marshal or Deputy <u>Deke Kopenhen, USM</u>	

Service Fee \$3.00	Total Mileage Charges (including endeavors) 1.20	Forwarding Fee	Total Charges \$4.20	Advance Deposits	Amount owed to U.S. Marshal or Amount of Refund
-----------------------	---	----------------	-------------------------	------------------	---

REMARKS:

Vol II
Page 126

United States Bankruptcy Court

For the Northern District of Iowa

WRIT OF EXECUTION

To: The United States Marshal for the Northern District of Iowa,

Greeting:

On the 3rd day of April, 1989, judgment was rendered in this action that the plaintiff, Farmers State Bank, shall recover from the defendant, Hugh F. Carney, the sum of \$ 2,000.00 together with interest thereon at the rate of 10.00 percent per annum from the 3rd day of April, 1989, until paid, and \$ costs were taxed against the defendant, Hugh F. Carney. The judgment was duly entered and docketed in the records of the clerk of this court on the 3rd day of April, 1989, but no part of the judgment, interest thereon, or costs has been paid or satisfied.

Therefore:

You are hereby commanded to expose to execution sale so much of the property of the defendant, as may have been attached at the commencement of this action to insure enforcement of the judgment as is necessary to satisfy the judgment, accrued interest thereon, costs of suit, and your execution costs and expenses, the property that was attached being described as follows:

If such property is insufficient to satisfy the aforementioned amounts due from the defendant, you are further commanded to subject to execution sale sufficient of the defendant's other nonexempt personal property situated in your district as may be necessary to satisfy the remaining balance, and if such personal property is insufficient, then you are commanded to satisfy any final balance by a levy on and sale of sufficient of the defendant's remaining nonexempt real property situated within your district.

You are further commanded to return this writ with an endorsement thereon showing the manner of your compliance with its terms, together with the proceeds from the execution sale or sales, by the day of _____, 19__.



[Seal of the U.S. Bankruptcy Court]

Sarah A. Erby
Clerk of Bankruptcy Court

~~DK~~ Deputy Clerk

Date of issuance: December 29, 1989

UNITED STATES MARSHALS SERVICE
UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF IOWA
CEDAR RAPIDS DIVISION

FILED
U.S. BANKRUPTCY COURT
NORTHERN DISTRICT OF IOWA
JAN - 3 1990

BARBARA A. EVERLY, CLERK

FARMERS STATE BANK,)	
)	
Plaintiff,	)	BKY. NO. L-88-00193-C
	)	Adversary No. L-88-0174C
v.)	
	)	NOTICE OF GARNISHMENT
HUGH F. CARNEY,	)	AND INTERROGATORIES
)	
Defendant.)	

TO: Cedar Rapids Toyota, as garnishee herein and as supposed debtor of Hugh F. Carney.

YOU ARE HEREBY NOTIFIED, that you are attached as garnishee, in the above-entitled action, by virtue of a Writ of Execution to me directed by the Clerk of said Bankruptcy Court for the sum of \$2,000.00 judgment, plus costs and interest from date of said judgment, and that you are required not to pay any non-exempt funds due or hereinafter to become due, by you to said defendant, subject to the provisions of Chapter 642, Code of Iowa and any amendments thereto; and Section 1672 and 1673 of Title 15, U.S Code, and that you must remand possession of all non-exempt funds of said defendant now or hereafter being in your custody or under your control, to the Clerk, U.S. Bankruptcy Court, Northern District of Iowa, P.O. Box 74890, Cedar Rapids, Iowa 52407, Phone: 319-399-2473.

SEE ATTACHED INSTRUCTIONS TO GARNISHEE FOR ADDITIONAL INFORMATION.

And you are further notified and requested to file full sworn answers to below questions with the Clerk of the U.S. Bankruptcy court, within 14 days from the date of service, or you may be liable to pay entire judgment which said plaintiff may obtain against said defendant.

For your information, the attorney for Plaintiff is:

Joseph E. Schmall
Bradley & Riley, P.C.
100 First Street, S.W.
Cedar Rapids, IA 52404
319-363-0101

JAMES P. JONKER
UNITED STATES MARSHAL
101 First Street, S.E.
Cedar Rapids, IA 52401
319-399-2416

By: *Leik R. Spertus, DUSM*

QUESTIONS TO BE ANSWERED BY THE GARNISHEE AS REQUIRED BY PROVISIONS OF CHAPTER 642, CODE OF IOWA:

Is the defendant employed by you at this time? Yes No

1. Are you in any manner indebted to the defendant in this suit, or do you owe him money or property which is not yet due? If so, state particulars: _____

2. Have you in your possession or under your control any property, rights or credits of said defendant? If so, what is the value of same? _____

3. Do you know of any debts owing the said defendant, whether due or not due, or any property, rights or credits belonging to him and now in the possession or under control of others? If so, state particulars: _____

4. Do you compensate the defendant in this suit for any personal services whether denominated as wages, salary, commission, bonus or otherwise, including periodic payments pursuant to a pension or retirement program? If so, state the amount of the compensation reasonably anticipated to be paid defendant during the calendar year: _____

I do solemnly swear/affirm under penalty of perjury, that I have made full and true answers to the above questions touching the matter wherein I have been attached as garnishee.

Garnishee Cedar Rapids Toyota By: Donna Terwilliger aff Mgr

Subscribed and sworn to before me this _____ day of _____, 19____.

By: _____
UNITED STATES MARSHAL DEPUTY

NOTE: After completing this form, retain Copy Number 4 for your records.

Return Copy Number 1 along with any funds to:

Clerk, U.S. Bankruptcy Court
P.O. Box 74890
Cedar Rapids, IA 52407

Return Copies 2 and 3 in the enclosed envelope to:

U.S. Marshals Service
101 First Street, S.E.
Cedar Rapids, IA 52401

UNITED STATES MARSHALS SERVICE

RECEIVED
U.S. MARSHAL

JAN 3 10 35 AM '90

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF IOWA
CEDAR RAPIDS DIVISION

NORTHERN
DISTRICT OF
IOWA

FARMERS STATE BANK,
Plaintiff,

v.

HUGH F. CARNEY,
Defendant.

FILED
U.S. BANKRUPTCY COURT
NORTHERN DISTRICT OF IOWA

JAN - 4 1990

BKY. NO. L-88-00193-C
Adversary No. L-88-0174C

NOTICE OF GARNISHMENT
AND INTERROGATORIES

BARBARA A. EVERLY, CLERK

TO: Cedar Rapids Toyota, as garnishee herein and as supposed debtor of Hugh F. Carney.

YOU ARE HEREBY NOTIFIED, that you are attached as garnishee, in the above-entitled action, by virtue of a Writ of Execution to me directed by the Clerk of said Bankruptcy Court for the sum of \$2,000.00 judgment, plus costs and interest from date of said judgment, and that you are required not to pay any non-exempt funds due or hereinafter to become due, by you to said defendant, subject to the provisions of Chapter 642, Code of Iowa and any amendments thereto; and Section 1672 and 1673 of Title 15, U.S Code, and that you must remand possession of all non-exempt funds of said defendant now or hereafter being in your custody or under your control, to the Clerk, U.S. Bankruptcy Court, Northern District of Iowa, P.O. Box 74890, Cedar Rapids, Iowa 52407, Phone: 319-399-2473.

SEE ATTACHED INSTRUCTIONS TO GARNISHEE FOR ADDITIONAL INFORMATION.

And you are further notified and requested to file full sworn answers to below questions with the Clerk of the U.S. Bankruptcy Court, within 14 days from the date of service, or you may be liable to pay entire judgment which said plaintiff may obtain against said defendant.

For your information, the attorney for Plaintiff is:

Joseph E. Schmall
Bradley & Riley, P.C.
100 First Street, S.W.
Cedar Rapids, IA 52404
319-363-0101

JAMES P. JONKER
UNITED STATES MARSHAL
101 First Street, S.E.
Cedar Rapids, IA 52401
319-399-2416

By: Eric R. Papenthan, DUSM

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QUESTIONS TO BE ANSWERED BY THE GARNISHEE AS REQUIRED BY PROVISIONS OF CHAPTER 642, CODE OF IOWA:

Is the defendant employed by you at this time? Yes No

1. Are you in any manner indebted to the defendant in this suit, or do you owe him money or property which is not yet due? If so, state particulars: _____
2. Have you in your possession or under your control any property, rights or credits of said defendant? If so, what is the value of same? _____
3. Do you know of any debts owing the said defendant, whether due or not due, or any property, rights or credits belonging to him and now in the possession or under control of others? If so, state particulars: _____
4. Do you compensate the defendant in this suit for any personal services whether denominated as wages, salary, commission, bonus or otherwise, including periodic payments pursuant to a pension or retirement program? If so, state the amount of the compensation reasonably anticipated to be paid defendant during the calendar year: _____

I do solemnly swear/affirm under penalty of perjury, that I have made full and true answers to the above questions touching the matter wherein I have been attached as garnishee.

Garnishee Cedar Rapids Toyota By: Donna Terwilliger aff/Mg

Subscribed and sworn to before me this _____ day of _____, 19____.

UNITED STATES MARSHAL By: _____ DEPUTY

NOTE: After completing this form, retain Copy Number 4 for your records.

Return Copy Number 1 along with any funds to:
Clerk, U.S. Bankruptcy Court
P.O. Box 74890
Cedar Rapids, IA 52407

Return Copies 2 and 3 in the enclosed envelope to:
U.S. Marshals Service
101 First Street, S.E.
Cedar Rapids, IA 52401

Standard Form No. 1166
September 1973
4 Treasury FRM 2000
1166-132

VOUCHER AND SCHEDULE OF PAYMENTS

U. S. BANKRUPTCY COURT

(DEPARTMENT OR ESTABLISHMENT)

Schedule No. 79
Sheet 1 of 1

BUREAU OR OFFICE NORTHERN DISTRICT OF IOWA	
LOCATION OF TRANSMITTING OFFICE CEDAR RAPIDS, IOWA	AGENCY STATION NO. 8629
APPROPRIATION SUMMARY FUND #685529 B.O. #B08IANX	

PAID BY

VOUCHER NO.	PAYEE, AND IF NECESSARY, ADDRESS, INVOICE NO. OR OTHER IDENTIFICATION	AMOUNT	D. O. CHECK NO.
	<input type="checkbox"/> JOSEPH E. SCHMALL, Attorney for Farmers State Bank, Plaintiff/Garnishor Bradley & Riley, P.C. 100 First Street, S.W. Cedar Rapids, IA 52404	\$98.00	
	<input type="checkbox"/> Garnishment of salary of Hugh F. Carney, pursuant to judgment entered by this Court in re Adversary Case No. L88-0174C. Funds received for on 1/12/90.		
	<input type="checkbox"/>		
	<input type="checkbox"/>		
	<input type="checkbox"/>		

Pursuant to authority vested in me, I certify that the items listed herein are correct and proper for payment from the appropriation(s) designated hereon or on supporting vouchers.

GRAND TOTAL

\$98.00

01/16/90
(Date)

Theresa M. Kulaf Deputy Clerk
(Authorized certifying officer)

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