

ORDER AND NOTICE OF GARNISHMENT AND ANSWER OF EMPLOYER-

SECTION

A

LORAIN MUNICIPAL COURT
200 West Erie • Lorain, Ohio 44052
ATTN: Clerk of Courts -Garnishment
Department
Phone: (440) 204-2140

Clerk's Filed Date Stamp

CASE NO. ____ CV ____ - ____

The State of Ohio _____ vs. _____
Judgment Creditor Judgment Debtor

County of Lorain SS. _____
I.D for Judgment Debtor

Judgment Creditor or Attorney for Judgment Creditor:

Name: _____
Address: _____
City, State & Zip Code: _____
Telephone: _____

Before me, the undersigned Notary Public or Deputy Clerk of Lorain Municipal Court, personally appeared _____
who being first duly sworn according to law, says that he is the JUDGMENT CREDITOR ATTORNEY for JUDGMENT
CREDITOR herein and that said judgment creditor heretofore, to-wit, on the _____ (date) duly recovered judgment before
Lorain Municipal Court against said judgment debtor which remains unsatisfied.

Amount of Judgment \$ _____
Including INTEREST '10 DATE (interest rate = _____ %) + \$ _____
Plus UNPAID COURT COSTS TO DATE including the cost of this proceeding + \$ _____
Minus AMOUNT RECEIVED on Judgment + \$ _____
AMOUNT NOW DUE = \$ _____

The affiant has good reason to believe and does believe that the Garnishee named in Section A of this form is an employer of the judgment debtor who has personal earnings of the judgment debtor that are not exempt under section 2329.66 of the Ohio Revised Code. And that a true copy of the Demand required by Sec. 2716.02 O.R.C. has been made and a true copy of said Demand which was made is attached hereto: the payment demanded in said Demand has not been made, nor has a sufficient portion been made to prevent the garnishment of personal earnings as described in section 2716.02 of the Ohio Revised Code. The affiant has no knowledge of any application by the judgment debtor for the appointment of a trustee so as to preclude the garnishment of the judgment debtor's personal earnings and has no knowledge that the debt to which this affidavit pertains is the subject of a debt scheduling agreement of such a nature that it precludes the garnishment of the personal earnings of the judgment debtor under section 2716.03(B) of the Ohio Revised Code.

Sworn to and subscribed before me _____
(date) _____ (Affiant's Signature)

(Notary Public or Deputy Clerk)

SECTION A: COURT ORDER ND NOTICE OF GARNISHMENT TO: GARNISHEE

Name: _____
Address: _____
City, State & Zip Code: _____

The judgment creditor in the above case has filed an affidavit, satisfactory to the undersigned, in this court stating that you may owe the judgement debtor money for personal earnings.

You are therefore ordered to complete the "ANSWER OF EMPLOYER (GARNISHEE)" in Section B of this form. Return one completed and signed copy of this form to the clerk of this court within five (5) business days after you receive this order of garnishment. Deliver one completed and signed copy of this form and the accompanying documents entitled "NOTICE TO THE JUDGMENT DEBTOR" and "REQUEST FOR HEARING" to the judgment debtor. Keep the other completed and signed copy of this form for your files.

The total probable amount now due on this judgment is: \$_____ The total probable amount now due includes the unpaid portion of the judgment in favor of the judgment creditor, which is: \$_____ interest on that judgment and, if applicable, prejudgment interest relative to that judgment at the rate of _____% per annum payable until that judgment is satisfied in full; and court costs in the amount of \$_____.

This order of garnishment of personal earnings is a continuous order that generally requires you to withhold a specified amount, calculated each pay period at the statutory percentage, of the judgment debtor's personal disposable earnings during each pay period, as determined in accordance with the "INTERIM REPORT AND ANSWER OF GARNISHEE," from the judgment debtor's personal disposable earnings during each pay period of the judgment debtor commencing with the first full pay period beginning after you receive the order until the judgment in favor of the judgment creditor and the associated court costs, judgment interest, and, if applicable, prejudgment interest awarded to the judgment creditor as described above have been paid in full. You generally must pay that specified amount, calculated each pay period at the statutory percentage, to the clerk of this court within thirty (30) days after the end of each pay period of the judgment debtor and must include with that specified amount calculated each pay period at the statutory percentage an "INTERIM REPORT AND ANSWER OF GARNISHEE" substantially in the form set forth in section 2716.07 of the Ohio Revised Code. A copy of the "INTERIM REPORT AND ANSWER OF GARNISHEE" is attached to this order of garnishment of personal earnings, and you may photocopy it to use each time you pay the specified amount to the clerk of this court. You are permitted to deduct a processing fee of up to three dollars from the judgment debtor's personal disposable earnings for any pay period of the judgment debtor that an amount was withheld for that order (the processing fee is not a part of the court costs). You are not required to file with the court the "INTERIM REPORT AND ANSWER OF GARNISHEE" for any pay period of the judgment debtor for which an amount from the judgment debtor's personal disposable earnings during that pay period was not withheld for that order.

This order of garnishment of personal earnings generally will remain in effect until one of the following occurs:

1. The total probable amount due on the judgment as described above is paid in full as a result of your withholding of the specified amount, calculated each pay period at the statutory percentage, from the judgment debtor's personal disposable earnings during each pay period of the judgment debtor that commenced with the first full pay period beginning after you received the order.
2. The judgment creditor or the judgment creditor's attorney files with this court a written notice that the total probable amount due on the judgment as described above has been satisfied or the judgment creditor or the judgment creditor's attorney files written request to terminate this order of garnishment and release you from the mandate of this order of garnishment.
3. A municipal or county court appoints a trustee for the judgment debtor and issues to you an order that stays this order of garnishment of personal earnings.
4. A federal bankruptcy court issues to you an order that stays this order of garnishment of personal earnings.
5. A municipal or county court or a court of common pleas issues to you another order of garnishment of personal earnings that relates to the judgment debtor and a different judgment creditor, and Ohio or federal law provides the other order with a higher priority than this order.
6. A municipal or county court or a court of common pleas issues to you another order of garnishment of personal earnings that relates to the judgment debtor and a different judgment creditor and that does not have a higher priority than this order.
7. The judgment creditor or the judgment creditor's attorney files with this court a written request to terminate and release the order of garnishment, and as a result, the order of garnishment will cease to remain in effect.

Under any of the circumstances listed above, you are required to file with this court a "FINAL REPORT AND ANSWER OF GARNISHEE" substantially in the form set forth in section 2716.08 of the Ohio Revised Code. A copy of the "FINAL REPORT AND ANSWER OF GARNISHEE" is attached to this order of garnishment of personal earnings. Under the circumstances listed in (5) and (6) above, you must cease processing this order of garnishment after the expiration of the full pay period within which the one hundred eighty-second (182) day after you began processing it falls.

Special stacking, priority of payment, and manner of payment rules apply when a garnishee receives multiple order of garnishment with respect to the same judgment debtor. These rules are set forth in section 2716.041 of the Ohio Revised Code. An employer guide to processing continuous orders of garnishment is included with this order of garnishment you should become familiar with these rules.

Witness my hand and seal
of this court on this date of: _____

Judge

BAILIFF'S RETURN OF SERVICE

Received _____ 20_____

On the _____ day of _____ 20_____

I served this writ on the within named by

Personal Service

Other (ORC. 2716.05) _____

(Sheriff — Bailiff — Constable)

Returned and filed _____ 20_____

I certify this to be a true copy of the original Order and Notice And
Notice with all endorsements -thereon.

FEES

Service and return _____

Mileage _____

(Sheriff — Bailiff — Constable)

By _____
(Deputy)