



Samples

AT-138/EJ-125

ATTORNEY OR PARTY WITHOUT ATTORNEY:
 NAME: Calvin J. Creditor
 FIRM NAME:
 STREET ADDRESS: 2036 Donner Drive
 CITY: Sacramento
 TELEPHONE NO.: 916-123-4567
 E-MAIL ADDRESS: ccreditor@email.com
 I am not an attorney (check this box if you are) In Pro Per

FOR COURT USE ONLY

YOUR NAME, ADDRESS, AND PHONE NUMBER. IN PRO PER MEANS YOU'RE REPRESENTING YOURSELF. CHECK THE BOX NEXT TO "JUDGMENT CREDITOR."

COURT NAME, ADDRESS, AND BRANCH.

PLAINTIFF: Calvin J. Creditor
 DEFENDANT: Doug J. Debtor

PLAINTIFF'S AND DEFENDANT'S NAMES AS THEY APPEARED ON THE COMPLAINT.

CASE NUMBER: 34-2009-00012345

Check Enforcement of Judgment and Judgment Debtor or Third Person, as appropriate.

APPLICATION AND ORDER FOR APPEARANCE AND EXAMINATION
 ENFORCEMENT OF JUDGMENT ATTACHMENT (Third Person)
 Judgment Debtor Third Person

ORDER TO APPEAR FOR EXAMINATION

1. TO (name): Doug J. Debtor

2. YOU ARE ORDERED TO APPEAR personally or by a referee appointed by the court, to answer questions against you, or to answer questions concerning a debt you owe the plaintiff or defendant.

a. I am the judgment debtor and I will answer questions concerning property of the judgment debtor that is subject to attachment.

b. I am a third person (1) who has possession or control of property belonging to the judgment debtor or the defendant and I will answer questions concerning property of the judgment debtor that is subject to attachment.

c. I am a third person (2) who has possession or control of property belonging to the judgment debtor or the defendant and I will answer questions concerning property of the judgment debtor that is subject to attachment.

Name of the person to be examined, and the purpose of the examination.

Date: 2/8/2013 Time: 9 am Dept. or Div.: 37 Rm.:
 Address of court is shown above is:

3. This order may be served by a sheriff, marshal, registered process server, or other person authorized by law.

Enter the date, time, and location of the examination.

Date: _____

JUDGE: _____

This order must be served not less than 10 days before the date set for the examination.

IMPORTANT NOTICES ON REVERSE

APPLICATION FOR ORDER TO APPEAR FOR EXAMINATION

4. Original judgment creditor Assignee of record Plaintiff who has a right to attach order

applies for an order requiring (name): Doug J. Debtor to appear and furnish information to aid in enforcement of the money judgment or attachment.

Name of the person to be examined.

5. The person to be examined is
 a. the judgment debtor.
 b. a third person (1) who has possession or control of property belonging to the judgment debtor or the defendant and owes the judgment debt or the defendant more than \$500. An affidavit supporting an application under Code of Civil Procedure section 491.110 or 708.120 is attached.
 c. a third person (2) who has possession or control of property belonging to the judgment debtor or the defendant and owes the judgment debt or the defendant more than \$500. An affidavit supporting an application under Code of Civil Procedure section 491.150 or 708.150 is attached.

Check the box describing the person to be examined.

6. The person to be examined resides or has a place of business in the County of _____ of the State of California. If the person to be examined does not reside or have a place of business in the County of _____ of the State of California, the person to be examined resides or has a place of business in the County of _____ of the State of California.

7. This court is not the court in which the money judgment is entered or (attachment only) the court that issued the writ of attachment. An affidavit supporting an application under Code of Civil Procedure section 491.150 or 708.150 is attached.

8. The judgment debtor has been examined within the past 120 days. An affidavit showing good cause for another examination is attached.

Questions 7 and 8 apply only in rare situations. Check the box only if the entire statement is true.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: _____

Calvin J. Creditor
 (TYPE OR PRINT NAME)

(SIGNATURE OF DECLARANT)

(Continued on reverse)

Form Adopted by Mandatory Case Judicial Council of California K1-1288-128 (Rev. January 1, 2012)

Page 1 of 2 Code of Civil Procedure §§ 491.110, 708.110, 708.120, 708.150 www.court.ca.gov

Enter your name, date and sign.

Order to Appear for Examination (AT-138/EJ-125)