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6 File No. 49,702

7 Attorneys for Plaintiff
H.H. LEDYARD COMPANY

8 SUPERIOR COURT FOR THE STATE OF CALIFORNIA

9 COUNTY OF MONTEREY

10 LIMITED CIVIL JURISDICTION

11
12 H.H. LEDYARD COMPANY, a)
corporation,)
13)
Plaintiff,)
14)
vs.)
15)
OLD CITY HALL LLC, a limited)
16 liability company dba OLD CITY HALL;)
DANIEL PAUL BARDUZZI, an)
17 individual,)
18)
AND DOES I THROUGH X, AND)
19 EACH OF THEM, INCLUSIVE,)
20 Defendants.)

CASE NO. M 73251

[PROPOSED] ORDER GRANTING MOTION
FOR ASSIGNMENT OF RIGHTS,
RESTRAINING ORDER, AND TURNOVER
ORDER, AND ORDER TO APPEAR ON A
WEEKLY BASIS

21 Said notice of motion and motion for assignment of rights having come on regularly for
22 hearing this 16th day of September, 2005 at 9:00 a.m. in Dept. 14 before the Honorable Robert O.
23 Farrell, Judge of the Superior Court, and Robert J. Perkiss, Esq., appearing on behalf of Plaintiff
24 H.H. LEDYARD COMPANY via court call, and no opposition nor appearance filed by the
25 Defendants OLD CITY HALL LLC, a limited liability company dba OLD CITY HALL, and
26 DANIEL PAUL BARDUZZI, an individual, and no claim of exemption having been filed therein,
27 and for good cause appearing, therefore,
28

1 IT IS HEREBY ORDERED that the motion for assignment of rights, turnover order, and
2 restraining order be and the same is hereby granted.

3 IT IS FURTHER ORDERED that all accounts, accounts receivable, rights to payment of
4 money, contract rights, rights to payment of money from third parties, contingent rights, deposits
5 and deposit accounts, claims against third parties, monies due from third parties, due and in favor
6 of and for the benefit of Defendants, or any of Defendants' family members, business associates,
7 partners, assignees, and other persons acting on his behalf, due Defendants OLD CITY HALL
8 LLC, a limited liability company dba OLD CITY HALL, and DANIEL PAUL BARDUZZI, an
9 individual, are hereby assigned to Plaintiff H.H. LEDYARD COMPANY, care of its attorney,
10 David J. Cook, Cook, Perkiss & Lew, P.L.C., 333 Pine Street, Third Floor, San Francisco, CA
11 94104 for purposes of payment of the Judgment in the amount of \$14,181.41, plus interest and
12 costs as may be allowed.

13 IT IS FURTHER ORDERED that Defendants OLD CITY HALL LLC, a limited liability
14 company dba OLD CITY HALL, and DANIEL PAUL BARDUZZI, an individual, are hereby
15 stayed, prohibited and enjoined, from cashing, negotiating, advancing, collecting, any and all
16 accounts, accounts receivable, rights to payment of money, claims for payment of money due from
17 third parties, or other rights subject to the assignment herein.

18 IT IS FURTHER ORDERED that Defendants OLD CITY HALL LLC, a limited liability
19 company dba OLD CITY HALL, and DANIEL PAUL BARDUZZI, an individual, are hereby
20 prohibited, stayed and enjoined, from the assignment, mortgage, lien, or sale of any of the
21 accounts, accounts receivable, rights to payment of money, and claims for payment of money due
22 from third parties, the subject matter of the assignment hereunder.

23 IT IS FURTHER ORDERED that Defendants OLD CITY HALL LLC, a limited liability
24 company dba OLD CITY HALL, and DANIEL PAUL BARDUZZI, an individual, shall deliver
25 all checks, cash, notes, instruments, deposits, deposit accounts, checks, drafts or warrants, to the
26 Monterey County Sheriff, 1414 Natividad Road, Salinas, CA 93906.

1 IT IS FURTHER ORDERED that Defendant DANIEL PAUL BARDUZZI, an individual,
2 appear on a weekly basis, before the below court, to testify as to the condition of all of the
3 accounts and accounts receivable, notes, instruments, checks, warrants, deposits, and other rights
4 to payment of money and evidence thereof, and to periodically hand over and deliver to the Clerk
5 of the Court, for the benefit of Plaintiffs, any and all documentary evidence of any of the accounts
6 herein, including checks, drafts, money orders, accounts and deposit accounts, pursuant to C.C.P.
7 § 708.110(a) and C.C.P. § 708.250.

8
9 DATED: _____

ROBERT O. FARRELL
JUDGE OF THE SUPERIOR COURT

11 **NOTICE TO JUDGMENT DEBTOR**

12 PLEASE TAKE NOTICE THAT THE COURT HAS ENTERED AN ORDER
13 ASSIGNING CERTAIN RIGHTS AND PROVIDING FOR A RESTRAINING ORDER, AND
14 OTHER RELIEF. FAILURE TO COMPLY WITH THIS ORDER MAY RESULT IN
15 CONTEMPT IN WHICH YOU MAY BE INCARCERATED IN THE COUNTY JAIL OF NOT
16 MORE THAN 5 DAYS AND PAYMENT OF NOT MORE THE SUM OF \$1,000 PURSUANT
17 TO CALIFORNIA CODE OF CIVIL PROCEDURE SECTION 1209.
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