

U.S. Department of Justice
 United States Marshals Service

PROCESS RECEIPT AND RETURN

See "Instructions for Service of Process by U.S. Marshal"

PLAINTIFF Kirk and Amy Henry	COURT CASE NUMBER 2:08-CV-635
DEFENDANT Frederick Rizzolo; Lisa Rizzolo; The Rick and Lisa Rizzolo Family Trust, et. al.	TYPE OF PROCESS Writ of Execution

SERVE AT { NAME OF INDIVIDUAL, COMPANY, CORPORATION, ETC. TO SERVE OR DESCRIPTION OF PROPERTY TO SEIZE OR CONDEMN
 Transamerica Life Insurance Company
 ADDRESS (Street or RFD, Apartment No., City, State and ZIP Code)
 4333 Edgewood Road NE, Cedar Rapids, IA 52499

SEND NOTICE OF SERVICE COPY TO REQUESTER AT NAME AND ADDRESS BELOW Philip R. Erwin, Esq. Campbell and Williams 700 S. 7th St. Las Vegas, NV 89101	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):

Fold

Fold

KimTran Rizzolo
 Transamerica Liberty Variable Annuity- Account No. 121185LB8

Signature of Attorney other Originator requesting service on behalf of: <i>Philip R. Erwin</i>	<input checked="" type="checkbox"/> PLAINTIFF <input type="checkbox"/> DEFENDANT	TELEPHONE NUMBER 702-382-5222	DATE 5/24/12
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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 for USM 285 if more than one USM 285 is submitted)	Total Process 4	District of Origin No. 048	District to Serve No. 029	Signature of Authorized USMS Deputy or Clerk <i>Baranman</i>	Date 5.25.12
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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 on the 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) <i>Eric Leben (attorney)</i>	<input checked="" type="checkbox"/> A person of suitable age and discretion then residing in defendant's usual place of abode
Address (complete only different than shown above)	Date 06/05/2012 10:20 Time <input checked="" type="checkbox"/> am <input type="checkbox"/> pm
Signature of U.S. Marshal or Deputy <i>klb</i>	

Service Fee	Total Mileage Charges including endeavors	Forwarding Fee	Total Charges	Advance Deposits	Amount owed to U.S. Marshal* or (Amount of Refund*) \$0.00
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REMARKS: *\$5 check 20203*

PRINT 5 COPIES:

1. CLERK OF THE COURT
2. USMS RECORD
3. NOTICE OF SERVICE
4. BILLING STATEMENT*: To be returned to the U.S. Marshal with payment, if any amount is owed. Please remit promptly payable to U.S. Marshal.
5. ACKNOWLEDGMENT OF RECEIPT

PRIOR EDITIONS MAY BE USED

100-100000

THE UNITED STATES DISTRICT COURT FOR THE STATE OF NEVADA TO:

TransAmerica Life Insurance Company, Garnishee

You are hereby notified that you are attached as garnishee in the above entitled action and you are commanded not to pay any debt from yourself to KIMTRAN N. RIZZOLO, Defendant, and that you must retain possession and control of all personal property, money, credits, debts, effects and choses in action of said Defendant(s) in order that the same may be dealt with according to law. Plaintiff believes that you have property, money, credits, debts, effects and choses in action in your hands and under our custody and control belonging to said Defendant(s) described as: Transamerica Liberty Variable Annuity - Account No. 121185LB8.

YOU ARE REQUIRED within 20 days from the date of service of this Writ of Garnishment to answer the interrogatories attached hereto. In case of your failure to answer the interrogatories within 20 days, a Judgment by Default in the amount due the Plaintiff may be entered against you.

YOU ARE FURTHER REQUIRED to serve a copy of your answers to the Writ of Garnishment on Plaintiff's attorney whose address appears below.

U.S. Marshall

By: *Debra J. Desm*
Deputy

06/08/2012
Date

Issued at direction of:

Philip R. Erwin
DONALD J. CAMPBELL, ESQ. (1216)
PHILIP R. ERWIN, ESQ. (11563)
700 South Seventh Street
Las Vegas, Nevada 89101
Telephone: (702) 382-5222
Facsimile: (702) 382-0540

STATE OF)
)
COUNTY OF) ss:

The undersigned, being duly sworn, states that I received the within WRIT OF GARNISHMENT on the _____ day of _____, 20____ and personally served the same on the _____ day of _____, 20____ by showing the original WRIT OF GARNISHMENT, informing of the contents and delivering and leaving a copy, along with the statutory fee of \$5.00, with _____ at _____, County of Clark, State of Nevada.

By: _____
Deputy U.S. Marshal

INTERROGATORIES TO BE ANSWERED BY THE GARNISHEE UNDER OATH

1. Are you in any manner indebted to the Defendant(s), _____ or either of them, either in property or money, and is the debt now due? If not due, when is the debt to become due?
State fully all particulars:

ANSWER: _____

2. Are you an employer of one of the Defendant(s)? If so, state the length of your pay period and the amount each Defendant presently earns during a pay period.

ANSWER: _____

3. Did you have in your possession, in your charge or under your control, on the date the WRIT OF GARNISHMENT was served upon you any money, property, effects, goods, chattels, rights, credits or choses in the action of the Defendant(s), or either of them, or in which Defendant(s) is/are interested? If so, state its value and state fully all particulars.

ANSWER: _____

4. Do you know of any debts owing to the Defendant(s), whether due or not due, or any money, property, effects, goods, chattels, rights, credits or choses in action, belonging to the Defendant(s), or either of them, or in which Defendant(s) is/are interested, and now in possession or under the control of others? If so, state particulars.

ANSWER: _____

5. State your correct name and address, or the name and address of your attorney upon whom written notice of further proceedings in this action may be served.

ANSWER: _____

6. NOTE: If an employer, without legal justification, refuses to withhold the earnings of a Defendant demanded in a WRIT OF GARNISHMENT or knowingly misrepresents the earnings of the Defendant(s), the Court shall order the employer to pay the Plaintiff the amount of arrearages caused by the employer's refusal to withhold or his misrepresentation of the Defendant's earnings. In addition, the Court may order the employer to pay the Plaintiff punitive damages in an amount not to exceed \$1,000 for each pay period in which the employer has, without legal justification, refused to withhold the Defendant's earnings or has misrepresented the earnings.

Garnishee

STATE OF)
)
COUNTY OF) ss:

I declare under penalty of perjury under the law of the State of Nevada that the foregoing is true and correct.

EXECUTED this _____ day of _____, 20____.

Garnishee