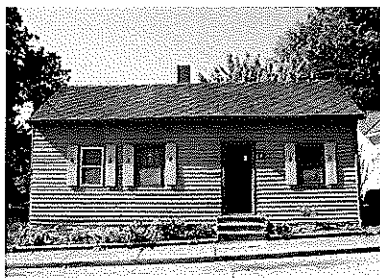
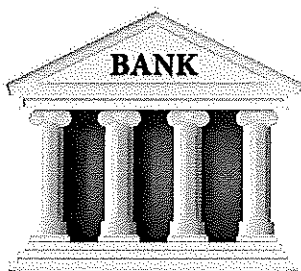
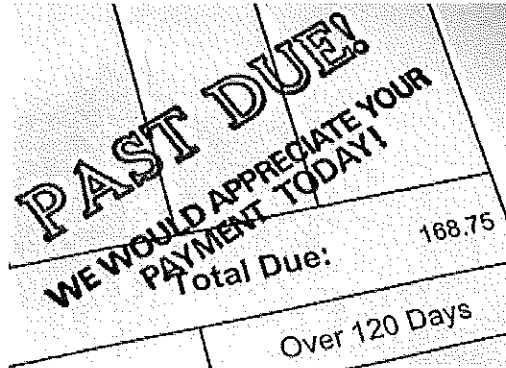


GET PAID BY UNWILLING DEBTORS

The Problem: They Have the Money And You Deserve It

Answer: Dun Them, Sue Them & Take It



123 - John R. Doe				Pay Period 06/02/06 to 06/16/06		Required Deductions	
Earnings				Federal Income Tax	00.00	00.00	
Hours	Rate	This Period	YTD	FICA - Medicare	00.08	12.16	
50	9.00	450.00	900.00	WI State Income Tax	00.00	00.00	
Gross Pay		450.00	900.00	FICA - Social Security	25.92	51.84	
				Other Deductions			
				Health Insurance	00.00	00.00	
				401k	00.00	00.00	
				Parking	00.00	00.00	
				NET PAY	\$418.00	\$836.00	

Your Employer 1234 Some Street Milwaukee, WI ZIPCODE		Check Number: XXXXXX Pay Date: 06/19/06
PAY ***Four hundred eighteen dollars and 00 cents*****\$418.00		
To the Order of John R. Doe 655 Some Street Milwaukee, WI ZIP CODE		

ATTACHMENT

EXECUTION

GARNISHMENT

Pre-Judgment: Basic Steps for Handling a Small Claims Case for RECOVERY OF MONEY

Any forms mentioned in this basic guide may be obtained from the Clerk of Court or online at <http://www.wicourts.gov/forms1/circuit.htm>.

- ☐ 1. **Decide in which county you will file your case.** Small Claims cases for recovery of money may be filed in any of three places:
 - The county where the claim arose,
 - The county where property that is the subject of your claim is located, or,
 - The county where the defendant (the party you are suing) lives or does business.
- ☐ 2. **Fill out a Small Claims Summons and Complaint form.** The form (SC-500i) has step-by-step instructions on the left side. Once you have filled it out, you should make at least two copies for each party you are suing and a copy for yourself.
- ☐ 3. **File the Summons and Complaint.** The Summons and Complaint and **all copies** must be filed and a fee paid to the Clerk of Court in the county where you are filing your case.
- ☐ 4. **Have each party you are suing served with a copy of the Summons and Complaint.** For the court to hear the case, each party must be provided with a copy of the Summons and Complaint far enough in advance of the first court date or answer deadline. The requirements for this service (delivery) are different in each county. Some counties require the documents to be served by a sheriff or a private process server ("personal service"), while others allow mail service by the Clerk of Court. See Pre-Judgment: Basic Steps to Small Claims Service (SC-6050V) for additional information.
- ☐ 5. **Complete an Affidavit of Nonmilitary Service (GF-175) for each party you are suing.**
- ☐ 6. **File your proof(s) of service and Affidavit(s) of Nonmilitary Service with the Clerk of Court.** File the Affidavit(s) of Nonmilitary Service and, if a sheriff or private process server has served the other party, also file the proof(s) of service you received. File these documents with the Clerk of Court at or before the first court date or answer deadline according to local court rules.
- ☐ 7. **For the first court date, follow the local court rules for attending.** Some counties require all parties to come to court. Other counties allow the other party to answer in writing and the parties do not have to come to court. Follow the rules where your case is filed or your case may be dismissed. If the court grants you a judgment, skip to number 10 below and file the necessary paperwork.

- ☐ 8. **If there is a disagreement, the court will schedule a trial/hearing.** Before the trial/hearing, you may contact the other party to try to settle your case. Some counties require the parties attend mediation. If you reach an agreement, put your agreement in writing and file it with the Clerk of Court before the trial/hearing. You may use the form Stipulation and Order for Dismissal (Non-Eviction) (SC-5310V) to do this. If you have not reached an agreement before the trial/hearing, organize your paperwork and evidence in support of your claim and make enough copies for the court and all parties. If you have witnesses, arrange for them to attend. Practice what you are going to say. Make sure to follow local court rules for filing documents or statements before the trial/hearing.
- ☐ 9. **Attend the trial/hearing.** Be on time and be polite. Don't get emotional. Explain why the court should give you what you are asking for. The court will review your evidence and listen to your witnesses, if any. When the court makes its decision, listen carefully. If a court commissioner heard your case, any party may request a new trial before a judge. The court commissioner will give you instructions after your hearing. See the instructional packet, Basic Guide to Wisconsin Small Claims Actions (SC-6000V) for additional information about preparing and participating at trial.
- ☐ 10. **Complete any post-decision activities.** If you are granted a judgment, you may have the judgment docketed by paying a fee to the Clerk of Court so it becomes a lien on the other party's real estate. The other party will be required to complete a Financial Disclosure of Assets form (SC-506) and send it to you within 15 days of entry of judgment unless they have already paid the judgment. If the other party does not complete the disclosure, you may file a Motion and Order for Hearing and Contempt (SC-507). The court does not collect your judgment for you, but there are actions you can take to collect your judgment. See Post-Judgment: Basic Steps Guide for Handling a Small Claims Earnings Garnishment (SC-6070V) and the Execution Against Property form (GF-115).

STATE OF WISCONSIN, CIRCUIT COURT, _____ COUNTY

For Official Use

Plaintiff: (Name [first, middle, last], Address, City, State, Zip)

☐ See attached for additional plaintiffs

☐ Amended

-vs-

To: Defendant(s) : (Name [first, middle, last], Address, City, State, Zip)

☐ See attached for additional defendants

**Summons and Complaint
Small Claims**

Case No. _____

- ☐ Claim for money (\$10,000 or less) 31001
☐ Return of property (replevin) 31003
☐ Eviction 31004
☐ Eviction due to foreclosure 31002
☐ Arbitration award 31006
☐ Return of earnest money 31008
☐ Tort/Personal injury (\$5,000 or less) 31010

If you require reasonable accommodations due to a disability to participate in the court process, please call _____ at least 10 working days prior to the scheduled court date. Please note that the court does not provide transportation.

SUMMONS

To the Defendant(s):

You are being sued as described below. If you wish to dispute this matter:

☐ You must appear at the time and place stated.

AND/OR (Clerk will circle one)

☐ You must file a written answer and provide a copy to the plaintiff or plaintiff's attorney on or before the date and time stated.

If you do not appear or answer, the plaintiff may win this case and a judgment entered for what the plaintiff is asking.

When to Appear/File an Answer

Date	Time
------	------

Place to Appear/File an Answer

--	--

Clerk/Attorney Signature

Date Summons Issued

Date Summons Mailed

COMPLAINT

Plaintiff's Demand:

The plaintiff states the following claim against the defendant(s):

1. Plaintiff demands judgment for: (Check as appropriate)

- ☐ Claim for Money \$ _____
☐ Return of Earnest Money ☐ Eviction
☐ Return of property (replevin) (Describe property in 2 below.)
 (Not to include Wis. Stats. 425.205 actions to recover collateral.)

- ☐ Tort/Personal injury \$ _____
☐ Eviction due to foreclosure
☐ Confirmation, vacation, modification or correction of arbitration award.

Plus interest, costs, attorney fees, if any, and such other relief as the court deems proper.

2. Brief statement of dates and facts: (If this is an eviction action and you are seeking money damages, you must also state that claim on this form.)

☐ See attached for additional information. Provide copy of attachments for court and defendant(s).

Verification: Under oath, I state that the above complaint is true, except as those matters stated upon information and belief, and as to those matters, I believe them to be true.

I am: ☐ plaintiff. ☐ attorney for the plaintiff.

State of _____

County of _____

Subscribed and sworn to before me on _____

Notary Public/Court Official

Name Printed or Typed

My commission/term expires: _____

Signature of Plaintiff or Attorney ▶	Date	Attorney's State Bar Number
Plaintiff's/Attorney's Telephone Number	Law Firm and Address	

ADDITIONAL STATEMENT OF FACTS --

HILL VALLEY CAMPGROUND LLC VS JOHN AND JANE SMITH

1. The plaintiff, Hill Valley Campground, LLC ("Campground") is a Wisconsin limited liability company. Its business address is 123 Lakeshore Road, Town of Swampwater, Moss County, Wisconsin. The Campground owns and operates a campground serving the public.
2. The defendants John and Jane Smith ("Smiths") are adult residents of Wisconsin and are husband and wife. They reside at 456 City Slicker Lane, City of Skiptown, Deadeye County, Wisconsin.
3. Contract. On November 15, 2012, the Smiths entered into a contract with the Campground, the "Contract." A copy of the Contract is attached to this Complaint.
4. The Smiths have breached the Contract in the following respects:
 - a. The Smiths have not paid \$843 of the fees for use of their Campground site.
 - b. The Smiths have not paid \$255 in electricity charges for their Campground site.
 - c. The Smiths left the Campground on August 13, 2013 without giving notice to the Campground. In the process of removing their camper from the Campground site, the Smiths damaged the site by making deep ruts in the ground, leaving garbage on the site, and abandoning the tank used for storage of waste water. The Campground made repairs to the site and cleaned it. The Campground incurred expenses of \$543 in restoring the campsite to usable condition. The site was not ready to be offered to another camper until after Labor Day 2013.
 - d. The costs incurred by the Campground in repairing and cleaning the site that the Smiths had occupied are detailed in the document attached to this Complaint as Exhibit 2.
 - e. The Campground made reasonable efforts to find another customer to occupy the site during the remainder of the season. However, there are few campers interested in starting to occupy a campsite after Labor Day.
5. Before filing this lawsuit, the Campground sent a letter to the Smiths demanding that they reimburse the Campground for the amounts owed to the Campground. The letter included a copy of the list which is Exhibit 2. A copy of the letter is attached as exhibit 3. The Smiths did not respond.
6. By reason of the breaches of the Contract by the Smiths, the Campground has sustained damages in the amount of \$1,641. The Campground requests judgment against the Smiths for \$1,641 plus the costs of this action.

EXHIBIT ONE. CAMPGROUND AGREEMENT.

EXHIBIT TWO: UNPAID CHARGES INCURRED BY JOHN AND JANE SMITH

Admission charges to the campground	843.00
-------------------------------------	--------

Unpaid electric service charge	255.00
--------------------------------	--------

Restoration of Campsite:

Dumpster fee	143.00
--------------	--------

Clean-up labor (20 hours @ \$20)	400.00
----------------------------------	--------

	543.00
--	--------

Total Damages	1,641.00
---------------	----------

COSTS & FEES

Filing fee	94.50
------------	-------

Service fee	75.00
-------------	-------

TOTAL JUDGMENT DEMANDED	1,810.50
-------------------------	----------

Exhibit 3: Notice letter

I write on behalf of Hill Valley Campground. You signed a Campground agreement with our Campground for the 2013 season. On August 13, 2013, you removed your RV from the campground without notice. You left without paying the remainder of the balance due for admission charges, \$843. You also had a balance of \$255 for electricity service.

When we inspected the campsite, we found that it was cluttered with garbage, wood and building materials left from a partially completed deck, and discarded personal possessions. In the process of removing the RV, you did not take care to avoid damaging the ground, leaving deep ruts in the soil.

It was necessary for us to bring in a dumpster to dispose of the materials you left on the campsite. Our staff put in 20 hours of labor to clean and restore the site, for which we charge \$20 per hour.

The charges you owe Hill Valley under the terms of the Campground Agreement, therefore, are \$1,641.00. Please send us a money order, cashiers check or contact us to pay by credit card.

If we do not hear from you within 15 days, we will assume you do not object to these charges. We will pursue appropriate collection action to recover the unpaid charges.

Hill Valley Campground

Plaintiff / _____
 Petitioner: _____
 -vs- _____

Affidavit of Nonmilitary Service

Defendant / _____
 Respondent: _____

Case No. _____

I, the undersigned, being first duly sworn on oath, say that:

1. I am the ☐ plaintiff/petitioner or ☐ plaintiff's/petitioner's attorney in this case.
2. This affidavit is made for the purpose of obtaining a default judgment against the above named defendant/respondent.
- ☐ 3. I believe the defendant/respondent is not on active military duty at this time because (choose one):
 - ☐ I know the defendant/respondent personally and s/he has never given any indication that s/he is in service with the United States military or National Guard.
 - ☐ I contacted the defendant/respondent, who informed me on (Date) _____ that s/he is not on active duty at this time.
 - ☐ I see the defendant/respondent regularly and therefore believe s/he is not on active duty at this time.
 - ☐ Other personal knowledge: _____
- ☐ 4. I obtained a certificate from the United States Department of Defense website showing that the defendant/respondent ☐ is ☐ is not on active duty status. This certificate is attached.
- ☐ 5. I have attempted to determine military status but do not have sufficient information. I have no reason to believe s/he is on active duty at this time. Describe efforts made: _____

State of _____
 County of _____
 Subscribed and sworn to before me on _____

Notary Public/Court Official

Name Printed or Typed

My commission/term expires: _____

► _____
 Plaintiff/Petitioner (Do not sign until you are under oath)

Name Printed or Typed of Plaintiff/Petitioner

► _____
 Plaintiff's/Petitioner's Attorney

Name Printed or Typed of Plaintiff's/Petitioner's Attorney

Date

Creditor: _____

-VS-

**Order for Financial Disclosure
and
Financial Disclosure Statement**

Debtor: _____

Case No. _____

IT IS ORDERED THAT the judgment debtor within 15 days of entry of judgment either:

- Pay the judgment in full, or
- Accurately complete the following Financial Disclosure Statement and mail or deliver it to the judgment creditor or attorney at the following address:

Name _____

Address _____

➤ **Failure to comply with this order may be contempt of court and subject you to the following penalties:**

- Imprisonment for up to **6 months**.
- Forfeitures of not more than **\$2000 per day**.
- Any other order necessary to ensure your compliance.
- Punitive (criminal) sanctions under Wis. Stats. Ch. 785.

BY THE COURT:

Judgment Date _____

☐ Circuit Court Judge ☐ Circuit Court Commissioner

Date _____

Individuals should complete items 1 - 33 and 35. Corporations should complete items 23 - 31, 34 and 35.**FINANCIAL DISCLOSURE OF ASSETS**

1. Your full name		2. Date of Birth		3. Number of Dependents	
4. Your residence address (not P.O. box)		City	State	Zip Code	Phone No.
5. Spouse's full name			6. Do you have a marital property agreement? <input type="checkbox"/> Yes (Attach copy.) <input type="checkbox"/> No		
7. Spouse's residence address (if different)		City	State	Zip Code	Phone No.
8. Your employer's name and address			9. Gross Wages	10. Paid <input type="checkbox"/> biweekly <input type="checkbox"/> weekly <input type="checkbox"/> monthly	
11. Spouse's employer's name and address			12. Gross Wages	13. Paid <input type="checkbox"/> biweekly <input type="checkbox"/> weekly <input type="checkbox"/> monthly	

You must complete this information (14 – 31) for both you and your spouse.

14. Other employers		15. Gross Wages	16. Paid <input type="checkbox"/> biweekly <input type="checkbox"/> weekly <input type="checkbox"/> monthly
17. Pension income (Give name and address of payor.)		18. Amount	19. Paid <input type="checkbox"/> biweekly <input type="checkbox"/> weekly <input type="checkbox"/> monthly
20. Social Security/Disability/SSI (Give name and address of payor.)		21. Amount	22. Paid <input type="checkbox"/> biweekly <input type="checkbox"/> weekly <input type="checkbox"/> monthly
23. Checking, savings, financial accounts (List name and address of institution, type of account and amount.)			
24. Automobiles (Give year, make and market value.)			
25. Stocks, bonds, life insurance, IRA's and other financial investments (List name, number of shares and value.)		26. Other Income (Specify)	
27. Real estate and other real property interests (List kind of property, location and market value.)			
28. Does anyone owe you money? <input type="checkbox"/> Yes (Attach details.) <input type="checkbox"/> No		29. Is anyone holding any assets or property for you? <input type="checkbox"/> Yes (Attach details.) <input type="checkbox"/> No	
30. Amount of cash on hand			
31. Other assets of value (Give details and values.)			

Complete both pages and sign page 2.

32. Do you believe your earnings are exempt from garnishment? ☐ Yes ☐ No

If yes, complete lines A, B, and C as appropriate.

☐ A. I have received the following need-based public assistance within the last six months:

- ☐ Medical assistance ☐ Relief funded under Wis. Stats. §59.53(21)
☐ Food stamps ☐ Relief funded under public assistance
☐ Supplemental security income
☐ Benefits for veterans under §45.40 (1) or 38 USC 501-562.

☐ B. I have been determined to be eligible to receive the following need-based public assistance although I have not actually begun to receive those benefits:

- ☐ Medical assistance ☐ Relief funded under Wis. Stats. §59.53(21)
☐ Food stamps ☐ Relief funded under public assistance
☐ Supplemental security income
☐ Benefits for veterans under §45.40 (1) or 38 USC 501-562.

☐ C. My household income is below the federal poverty line. (Worksheets and schedules for this determination are available in the Clerk of Court's Office.)

☐ D. At least 25% of my disposable earnings are assigned by the court order for support.

33. Would the garnishment of 20% of your disposable income reduce your household income below the federal poverty line? ☐ Yes ☐ No

34. Corporations should complete questions 23 – 31, as well as the following:

Name of Corporation	Address	Taxpayer ID Number
Officers of Corporation and Title	Business Address	Home Address
1.		
2.		
3.		
4.		
Registered Agent	Address	

35. The information provided on this statement is true and correct.

Judgment Debtor/Corporate Officer

Name Printed or Typed

Date

GARNISHMENT, EXECUTIONS AND EXEMPTIONS

An unpaid money judgment against you can result in the judgment creditor satisfying the judgment by taking or selling your personal property, including income, and your real estate.

Garnishment is a separate legal proceeding used to take money in possession of another which is owed you, typically income or deposits in financial institutions, in an amount sufficient to satisfy the judgment. A separate garnishment proceeding must be commenced by a judgment creditor choosing this remedy.

Execution is a writ issued by a court directing the sheriff to seize or attach your personal property or real estate so that it may be sold to satisfy the judgment. **A writ of execution** can be issued upon the perfecting and docketing of the original judgment without commencement of a separate legal proceeding.

Exemptions are assets protected by statute from garnishment and execution. These assets are determined in part by your marital status, the number of your dependents, whether the transaction leading to the judgment was a consumer credit transaction and whether the judgment creditor had a mortgage or a security interest. Other qualifications and limitations are set forth in §815.18(3) through (13), Wisconsin Statutes.

Because your personal circumstances will determine if an asset is exempt from execution, the Judicial Conference can only inform you about the types of assets and amount of income which **MAY** be exempt and the statutes you can refer to for specific information.

Your exempt assets and income with statutory limitations may include the following:

- Salary up to 10% for purchase of savings bonds [Wis. Stats. §20.921(1)(e)].
- Veteran's benefits [Wis. Stats. §45.40 (1) or 38 USC 501-562].
- Assistance grants [Wis. Stats. §49.96].
- Pension funds and benefits from 1st class cities and counties of populations over 500,000 [Wis. Stats. §62.63(4) and Ch. 201, Laws 1937, s.11].
- Worker's compensation awards [Wis. Stats. §102.27(1)].
- Unemployment compensation benefits [Wis. Stats. §108.13(2)].
- School aid moneys [Wis. Stats. §121.007].
- Partner's rights in specific partnership property [Wis. Stats. §178.21(3)(c)].
- Tenant's housing corporation lease and stock interests [Wis. Stats. §182.004(6)].
- Income, including wages and earnings [Wis. Stats. §§425.106(1)(a), 812.34(2), 812.39 and 815.18(3)(h)].
- Clothing, jewelry, household furniture and furnishings [Wis. Stats. §425.106(1)(b)].
- Homestead interest in real estate [Wis. Stats. §425.106(1)(c), 815.20 and 815.21].
- Earnings or assets required to be paid by customers as restitution [Wis. Stats. §425.106(1)(d)].
- Insurance company deposits with the State Treasurer [Wis. Stats. §601.13(7)].
- Fraternal benefits [Wis. Stats. §614.96].
- Cemetery lots, above ground burial facilities/monuments, tombstones and coffins [Wis. Stats. §815.18(3)(a)].
- Business and farm equipment, inventory, products and professional books not to exceed \$15000. [Wis. Stats. §815.18(3)(b)].
- Child support, family support or maintenance payments [Wis. Stats. §815.18(3)(c)].
- Consumer goods held primarily for personal, family, or household use not to exceed \$12000. [Wis. Stats. §815.18(3)(d)].
- State aid to county fairs and agricultural societies [Wis. Stats. §815.18(3)(df)].
- Federal disability insurance benefits [Wis. Stats. §815.18(3)(ds)].
- Fire and casualty insurance proceeds [Wis. Stats. §815.18(3)(e)].
- Fire and police pension fund benefits [Wis. Stats. §815.18(3)(ef)].
- Fire apparatus and equipment [Wis. Stats. §815.18(3)(em)].
- Life insurance contract and accrued dividends, interest or loan value not to exceed \$4000. [Wis. Stats. §815.18(3)(f)].
- Motor vehicles not to exceed \$4000 plus unused consumer goods value [Wis. Stats. §815.18(3)(g)].
- Life insurance, personal injury and wrongful death claims [Wis. Stats. §815.18(3)(i)].
- Retirement and public employee trust funds [Wis. Stats. §§40.08(1) and 815.18(3)(j)].
- Depository accounts in the aggregate value of \$5000 [Wis. Stats. §815.18(3)(k)].
- Private property to satisfy judgments against municipalities, vocational, technical and adult education and school districts [Wis. Stats. §815.18(3)(m)].
- Federal war pensions [Wis. Stats. §815.18(3)(n)].
- Crime victim award [Wis. Stats. §949.07].