

STATE OF INDIANA

)

ELKHART SUPERIOR COURT 5

) SS:

315 S. 2ND STREET

COUNTY OF ELKHART

)

ELKHART, IN 46516

CAUSE NO: 20D05-click to enter cause number

Enter Name of Filing Party
Plaintiff

VS.

enter defendant name

Defendant

Enter street address (required).

Enter City, State, Zip. (Required)

Enter Phone Number or hit space for blank

enter defendant name

Garnishee-Defendant

Enter street address (required).

Enter City, State, Zip. (Required)

Enter Phone Number or hit space for blank

**VERIFIED MOTION FOR PROCEEDINGS SUPPLEMENTAL WITH A GARNISHEE-
DEFENDANT**

Plaintiff by its attorney says the Plaintiff is the owner of a Judgment against the Defendant(s) which has an unpaid balance in the sum of \$Click or tap here to enter balance.

1. The Plaintiff has no cause to believe that the levy of execution against the Defendant(s) will satisfy the Judgment.
2. The Garnishee-Defendant has or will have an obligation owing to the Defendant(s).
3. The Plaintiff believes that the Defendant(s) has/have wages, assets, income, profits or other non-exempt property which can be applied to the satisfaction of said Judgment.

WHEREFORE, Plaintiff prays that:

1. The Defendant(s) be ordered to appear (on the date set out in the order) for a meeting with Plaintiff's counsel and to answer as to wages, assets, profits, income, or any non-exempt property which can be applied to the satisfaction of the Judgment.
2. The Garnishee-Defendant be ordered to answer under oath, the Interrogatories to the Garnishee-Defendant and to return the written answers to the Plaintiff's counsel on or before the date set in the order.

**I AFFIRM UNDER PENALTIES FOR PERJURY THAT THE FOREGOING
REPRESENTATIONS ARE TRUE.**

Dated: Click or tap to enter a date.

Click or tap here to enter text.
Attorney for Plaintiff #

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INTERROGATORIES TO GARNISHEE-DEFENDANT

MEETING DATE: Click or tap to enter a date.

1. State the correct name, address and telephone number of your company or partnership:
Click or tap here to enter text.
2. Does the above Defendant receive periodic earnings or compensation from you as an employee or independent contractor? (Earnings of independent contractors and 1099 employees are subject to garnishment orders under Indiana law.) ☐ YES ☐ NO
TERMINATED AS OF Click or tap to enter a date..
3. If employed, what is the date of hire? Click or tap to enter a date. Is Defendant on any type of leave? If so, please describe the circumstances and the duration:
Click or tap here to enter text or hit space for a blank.
4. State the average weekly gross amount paid to the Defendant:
\$Enter Amount
5. Defendant's last known address and last 4 of the SS number:
Enter last known address and last 4 of SS Number or space for blank
6. Does the Defendant have any garnishment orders in effect currently? If so, state the cause number(s) and the amount(s)
Enter cause numbers and amounts or hit space for blank.
7. Does the Defendant own any interest in your company or are there any debts due to this individual from your company? Explain:
Enter text or hit space for blank

I AFFIRM UNDER PENALTIES FOR PERJURY THAT THE FOREGOING REPRESENTATIONS ARE TRUE.

Dated: Click or tap to enter a date.

Signature

Enter Printed Name

Title/Position.

Phone Number.

Return Interrogatories to:

Plaintiff's Counsel at

Enter street address (required).

Enter City, State, Zip. (Required)

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Garnishee-Defendant

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Enter City, State, Zip. (Required)

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ORDER GRANTING MOTION FOR PROCEEDINGS SUPPLEMENTAL WITH GARNISHEE-DEFENDANT

This action having come before the Court on the Plaintiff's Verified Motion for Proceedings Supplemental, the Court, being fully advised, now finds that the motion meets the requirements of Indiana Trial Rule 69(E).

IT IS THEREFORE ORDERED:

1. That this matter is scheduled for a meeting on Click or tap to enter a date. at enter time. Select am or pm. Eastern Time. **THIS MEETING WILL NOT BE CONDUCTED AT THE COURTHOUSE.**
2. Defendant is to contact Plaintiff's counsel at phone number enter phone number or appear in person at the office of enter office located at enter address.
3. Defendant is required to be available for 45 minutes from the scheduled time to answer questions as to the Defendant's income, assets, and non-exempt property. **Failure to be available for the telephone call or failure to appear for the meeting if at counsel's office, will be treated as a failure to appear.**
4. If the Defendant cannot be available at the scheduled time, it is the responsibility of the Defendant to contact Plaintiff's counsel and make alternative arrangements for the meeting by calling, enter phone number. Plaintiff's counsel is to respond promptly to any inquiry by the Defendant.
5. If the Defendant does not wish to talk with Plaintiff's counsel, the Defendant must file, in writing, a request for a hearing with the Court no less than 7 days **BEFORE** the meeting. (Petitions can be picked up in Superior Court #5 Clerk's Office.)

IT IS FURTHER ORDERED that the above Garnishee-Defendant answer the Plaintiff's Interrogatories and return them to Plaintiff's counsel at [Click or tap here to enter text.](#) within 25 days after service. Plaintiff's counsel will then e-file answered Interrogatories with the Court.

Plaintiff shall serve copies of this Order on all parties in accordance with T.R. 5(H)(2).

ORDERED: [Click or tap to enter a date.](#)

Christopher J. Spataro, Judge
Elkhart Superior Court #5