

ATTORNEY OR PARTY WITHOUT ATTORNEY (<i>Name, state bar number, and address</i>): TELEPHONE NO.: _____ FAX NO.: _____ ATTORNEY FOR (<i>Name</i>): _____	FOR COURT USE ONLY
NAME OF COURT: STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	
PLAINTIFF: DEFENDANT:	
EX PARTE <input type="checkbox"/> RIGHT TO ATTACH ORDER AND ORDER FOR ISSUANCE OF WRIT OF ATTACHMENT (RESIDENT) <input type="checkbox"/> ORDER FOR ISSUANCE OF ADDITIONAL WRIT OF ATTACHMENT (RESIDENT)	CASE NUMBER:

1. The application and supporting declaration or affidavit of plaintiff (*name*):
 for an ex parte right to attach order and order for issuance of writ of attachment order for issuance of an additional writ of attachment has been considered by the court.

FINDINGS

2. THE COURT FINDS

- a. Defendant (*specify name*): _____ is a natural person
 partnership unincorporated association corporation other (*specify*): _____
- b. The claim upon which the application is based is one upon which an attachment may be issued under Code of Civil Procedure section 483.010.
- c. Plaintiff has established the probable validity of the claim upon which the attachment is based.
- d. The attachment is not sought for a purpose other than the recovery on the claim upon which the application is based.
- e. The amount to be secured by the attachment is greater than zero.
- f. The affidavit or declaration accompanying the application shows that the property sought to be attached, or the portions thereof to be specified in the writ, are not exempt from attachment.
- g. The portion of the property sought to be attached described in item 3b is not exempt from attachment.
- h. An undertaking in the amount of: \$ _____ is required before a writ shall issue, and plaintiff has has not filed an undertaking in that amount.
- i. Great or irreparable injury will result to the plaintiff if issuance of the order is delayed until the matter can be heard on notice, based on the following:
 - (1) There is a danger that the property sought to be attached would be
 - (a) concealed. (b) substantially impaired in value.
 - (c) made unavailable to levy by other than concealment or impairment in value.
 - (2) Defendant has failed to pay the debt underlying the requested attachment and is insolvent as defined in Code of Civil Procedure section 485.010, subdivision (b)(2), as set forth in the affidavit or declaration filed in support of this application, which specifies the defendant's known undisputed debts and the basis for plaintiff's determination that the defendant's debts are undisputed.
 - (3) A bulk sales notice was recorded and published pursuant to Division 6 of the Commercial Code with respect to a bulk transfer by the defendant.
 - (4) An escrow has been opened pursuant to the provisions of Business and Professions Code section 24074 with respect to the sale by the defendant of a liquor license. The liquor license number is: _____
 - (5) Other circumstances (*specify*): _____
- j. A Right to Attach Order was issued on (*date*): _____ pursuant to Code of Civil Procedure section 484.090 (on notice) Code of Civil Procedure section 485.220 (ex parte)
- k. Other (*specify*): _____

(Continued on reverse)

