

FILED

1 CASE NO. 24805- NO _____

2 Dept. No. I '91 MAR -6 P1:24

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4
5 BY P. GREGORY DEPUT

6 IN THE NINTH JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
7 IN AND FOR THE COUNTY OF DOUGLAS

9 HARRAH'S CLUB, a Nevada
10 corporation,

11 Plaintiff,

12 vs.

WRIT OF ATTACHMENT

13 MICHAEL BEAM, ANGELA BEAM
14 GILBERT BALWING, PATROCINIA
15 BALWING and DOES I through
16 XX, inclusive,

17 Defendants.

18 THE STATE OF NEVADA TO THE SHERIFF OF DOUGLAS COUNTY,

19 GREETINGS:

20 YOU ARE HEREBY COMMANDED to attach and safely keep the
21 property of the defendant GILBERT BALWING in order to satisfy the
22 plaintiff's demand of \$826,000 exclusive of interest and costs.

23 The property to be attached, which is not exempt from
24 execution and the value of which does not exceed the plaintiff's
25 demand, is described as follows: See Attached Exhibit "1"

26 If the defendant shall give you security in lawful
27 money of the United States or by posting a bond or by the
28 undertaking of at least two sufficient sureties in an amount
equal to the lesser of the plaintiff's demand exclusive of costs

Associate Counsel:
Janet Beronio :
P.O. Box 8
Stateline, NV 89449

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✓ Douglas Co Sheriff

1 or the value of the property levied upon, then you shall accept
2 such bond or undertaking in lieu of attaching the aforesaid
3 property. You are required to serve and return this Writ and
4 with the results of your levy endorsed thereon, and within 20
5 days from the day you receive it, return it to the Clerk of the
6 Court with a copy to the party at whose direction it was issued.

7
8 Issued at direction of: *Barbara Reed*, CLERK OF COURT
9 _____ By: P. GREGORY 3/10/91
Deputy Clerk Date

10 I HEREBY CERTIFY that this is a true and correct copy of the
11 original Writ of Attachment.

12 JERRY MAPLE SHERIFF DOUGLAS COUNTY
13 *G.F. Wennhold*
14 By: G.F. Wennhold 03-08-91
DEPUTY Date

15 I HEREBY CERTIFY that I have this date served this Writ of
16 Attachment on the 08 day of March, 1991 by:

17
18 (a) taking into my possession the following described property
19 to be held in my custody until further order of this court:
20 _____
21 _____
22 _____
23 _____
24 _____

25 (b) posting a copy of this Writ of Attachment upon the real
26 property set forth herein by affixing a copy of this Writ to the
27 improvement thereon or upon the property if unimproved and by
28 _____

Associate Counsel:
Janet Beronio
P.O. Box 8
Stateline, NV 89449

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1 delivering a copy of this Writ on the 08 day of
2 March, 1991, to the County Recorder to be recorded.

3
4

5 (c) serving on the 08 day of March, 1991, at
6 1016 A.M o'clock at First Interstate Bank, Minden, Douglas
7 County, Nevada. A true and correct copy of said Writ of
8 garnishment is attached hereto.

9

10 (d) returning this Writ of Attachment unsatisfied.

11 JERRY MAPLE SHERIFF DOUGLAS COUNTY

12 By: G.F. Wennhold 03-08-91
13 DEPUTY Date

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28 Associate Counsel:
Janet Beronio
P.O. Box 8
Stateline, NV 89449

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CERTIFIED COPY

The document to which this certificate is attached is a full, true and correct copy of the original on file and of record in my office.

Dated 3/6/91
B. Reed Clerk of the 9th Judicial District Co. of the State of Nevada, in and for the County of Douglas.

By [Signature] Deputy

BEAD

COPY

RECORDED
INDEXED

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Book 391 page 1033A

I. MICHAEL BEAM

A. Bank Accounts

1. First Interstate Bank, 1542 Highway 395,
Gardnerville, Nevada 89410.
Checking account number 0410060012
2. Valley Bank of Nevada, 600 E. Williams Street,
Carson City, Nevada.
CD account number 383300127003
Checking account number 6501792
Money market account number 011176491
CD account number 0073915

B. Real Property By County

1. Douglas County

- a. 821 Galena Court, Gardnerville, Nevada
APN 27-541-13
Locate number: book 1288, page 3198
- b. 3557 Onyx Court, Carson City, Nevada;
APN 13-221-02
Locate number: book 1188, page 3855
- c. 1780 Bobcat Road, Minden, Nevada
APN 23-140-14
Locate number: book 189, page 3197
- d. 1303 Toiyabe Avenue, Minden Nevada
APN 25-38-401
Locate number: book 1288, page 3048
- e. 1364 Patricia Drive, Gardnerville, Nevada
APN 29-311-43
Locate number: book 1288, page 4051
- f. 1393 Langley Drive, Gardnerville, Nevada
APN 27-542-11
Locate number: book 886, page 974

2. Lyon County

- a. 158 Ring Road, Mark Twain Estates, Dayton,
Nevada
APN 19-305-04
Locate number: 119499

3. Carson County

- a. 1100 Crain Circle, Carson City, Nevada
APN 3-352-01
Locate number: 96134 (prior number 55928)
- b. 1148 Crain Circle, Carson City, Nevada
APN 3-352-03
Locate number: 100567 (prior number 93466 and
55928)
- c. 1325 Sharon Drive, Carson City, Nevada
APN 8-334-19
Locate number: 77855 (prior number 48381)
- d. 800 Armory Lane, Carson City, Nevada
APN 9-393-01
Locate number: 78816 (prior number 73730)

II. GILBERT BALWING

A. Bank Accounts

1. Valley Bank of Nevada, 600 East William Street,
Carson City, Nevada.
Savings account number [REDACTED] 2550

Checking account number 01640221

B. Real Property By County

1. Lyon County

- a. 404 Channel Drive, Dayton, Nevada
APN 19-454-38 or 36
Locate number 127873

COPY

1 CASE NO. 24805

2 Dept. No. I

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IN THE NINTH JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
IN AND FOR THE COUNTY OF DOUGLAS

HARRAH'S CLUB, a Nevada
corporation,

Plaintiff,

vs.

WRIT OF GARNISHMENT IN
AID OF ATTACHMENT

MICHAEL BEAM, ANGELA BEAM
GILBERT BALWING, PATROCINIA
BALWING and DOES I through
XX, inclusive,

Defendants.

THE STATE OF NEVADA, TO:

Upon application of plaintiff, by and through its
attorneys, Schuering Zimmerman Scully & Nolen, 7919 Folsom
Boulevard, Suite #100, Sacramento, California 95826, and an order
of court thereon,

YOU ARE HEREBY NOTIFIED that you are attached as
garnishee in the above-entitled action, and you are commanded not
to pay any debt due or to become due from yourself to said
GILBERT BALWING, defendant herein, and that you must retain, in
order that the same may be dealt with according to law, or so
much thereof as may be sufficient to satisfy plaintiff's demand,
to wit: \$826,000; you are required to answer the interrogatories

Associate Counsel:
Janet Beronio
P.O. Box 8
Stateline, NV 89449

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1 below hereto within twenty (20) days from the date of the service
2 of this Writ upon you.

3 In case of your failure to answer the garnishee
4 interrogatories within the time aforesaid, a judgment by default
5 will be rendered against you for the amount demanded herein.

6 GIVEN under my hand this _____ day of
7 _____, 1991

8
9 SHERIFF OF _____ COUNTY

10
11 By _____
12 Deputy

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Associate Counsel:
Janet Beronio
P.O. Box 8
Stateline, NV 89449

246231

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INTERROGATORIES

1
2 1. Are you in any manner indebted to the defendant
3 GILBERT BALWING, either in property or money, and is the same now
4 due? If not due, when is the same to become due? State fully
5 all particulars.

6 ANSWER:

7
8 2. Have you in your possession, in your charge or
9 under your control, any money, property, effects, goods,
10 chattels, rights, credits or choses in action of said defendant,
11 or in which said defendant is interested? If so, state what is
12 the value of the same, and state fully all particulars.

13
14 ANSWER:

15
16 3. Do you know of any debts owing to said defendant,
17 whether due or not due, or any money, property, effects, goods,
18 chattels, rights, credits or choses in action, belonging to said
19 defendant or in which said defendant is interested, and now in
20 the possession or under the control of others? If so, state
21 particulars.

22 ANSWER:

23
24 4. State your correct name and address, or the name
25 and address of your attorney upon whom written notice of further
26 procedures in this action may be served.

27
28 Associate Counsel:
Janet Beronio
P.O. Box 8
Stateline, NV 89449

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NOTICE OF EXECUTION
YOUR PROPERTY IS BEING ATTACHED OR
YOUR WAGES ARE BEING GARNISHED

Plaintiff, Harrah's Club, a Nevada Corp. alleges that you owe him money. He has begun the procedure to collect that money. To secure satisfaction of judgment the Court has ordered the garnishment of your wages, bank account or other personal property held by third persons or the taking of money or other property in your possession.

Certain benefits and property owned by you may be exempt from execution and may not be taken from you. The following is a partial list of exemptions:

1. Payments received under the Social Security Act.
2. Payment for benefits or the return of contributions under the Public Employees' Retirement System.
3. Payments for public assistance granted through the Welfare Division of the Department of Human Resources.
4. Proceeds from a policy of life insurance.
5. Payments of benefits under a program of industrial insurance.
6. Payments received as unemployment compensation.
7. Veteran's benefits.
8. A homestead in a dwelling or a mobile home, not to exceed \$95,000.00, unless the judgment is for a medical bill, in which case all of the primary dwelling, including a mobile or manufactured home, may be exempt.
9. A vehicle, if your equity in the vehicle is less than \$1,000.00.
10. Seventy-five percent of the take home pay for any pay period, unless the weekly take home pay is less than 30 times the federal minimum wage, in which case the entire amount may be exempt.

These exemptions may not apply in certain cases such as proceedings to enforce a judgment for support of a child or a judgment of foreclosure on a mechanic's lien. You should consult an attorney immediately to assist you in determining whether your property or money is exempt from execution. If you cannot afford an attorney, you may be eligible for assistance through the Nevada Legal Services, Inc.

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PROCEDURE FOR CLAIMING EXEMPT PROPERTY

If you believe that the money or property taken from you is exempt or necessary for the support of you or your family, you must file with the Clerk of the Court on a form provided by the clerk a notarized affidavit claiming the exemption. A copy of the affidavit must be served upon the sheriff and the judgment creditor within 8 days after the notice of execution is mailed. The property must be returned to you within 5 days after you file the affidavit unless the judgment creditor files a motion for a hearing to determine the issue of exemption. If this happens, a hearing will be held to determine whether the property or money is exempt. The hearing must be held within 10 days after the motion for a hearing is filed.

IF YOU DO NOT FILE THE AFFIDAVIT WITHIN THE TIME SPECIFIED, YOUR PROPERTY MAY BE SOLD AND THE MONEY GIVEN TO THE JUDGMENT CREDITOR, EVEN IF THE PROPERTY OR MONEY IS EXEMPT.

If you received this notice with a notice of a hearing for attachment and you believe that the money or property which would be taken from you by a writ of attachment is exempt or necessary for the support of you or your family, you are entitled to describe to the Court at the hearing why you believe your property is exempt. You may also file a motion with the Court for a discharge of the writ of attachment. You may make that motion any time before trial. A hearing will be held on that motion.

IF YOU DO NOT FILE THE MOTION BEFORE THE TRIAL, YOUR PROPERTY MAY BE SOLD AND THE MONEY GIVEN TO THE PLAINTIFF, EVEN IF THE PROPERTY OR MONEY IS EXEMPT OR NECESSARY FOR THE SUPPORT OF YOU OR YOUR FAMILY.

AFFIDAVIT OF SERVICE

STATE OF NEVADA

ss.

COUNTY OF DOUGLAS

G.F. Wennhold being first duly sworn, deposes and says:
That affiant is a citizen of the United States, over 18 years of age,
not a party to the within entitled action, and in the County of
Douglas, State of Nevada, affiant personally served the documents
listed to the party at the location and date and time reported.

DOCUMENTS: WRIT OF ATTACHMENT and WRIT OF GARNISHMENT and Garnishee's Check.

NINTH JUDICIAL DISTRICT COURT 24805
court name court case number

WHO WAS SERVED: Pat Bradley, Lead Customer Service Rep.
First Interstate Bank
416 Esmeralda Ave, Minden NV

LOCATION OF SERVICE: 416 Esmeralda Ave, Minden NV

DATE AND TIME OF SERVICE: 03-08-91, FRIDAY, 1016 Hrs.

JERRY MAPLE, SHERIFF
DOUGLAS COUNTY, NEVADA
by G.F. Wennhold
G.F. Wennhold
DEPUTY SHERIFF



SUBSCRIBED AND SWORN TO THIS ota
DAY OF March, 1991.

Janice F. Frayo
NOTARY PUBLIC
form OPRIN0007 rev. 09-90

AFFIDAVIT OF POSTING

STATE OF NEVADA

ss.

COUNTY OF DOUGLAS

G.F. Wennhold being first duly sworn, deposes and says:
That affiant is a citizen of the United States, over 18 years of age,
not a party to the within entitled action, and in the County of
Douglas, State of Nevada, affiant personally posted the notices
listed on the board at the location and date and time reported.

DOCUMENTS: WRIT OF ATTACHMENT and Notice of Rights under Attachment

NINTH JUDICIAL DISTRICT COURT 24805
court or party name case no. or meeting date

- WHERE POSTED:
1. 1393 Langley Drive, East Fork Township.
 2. 821 Galena Court, East Fork Township.
 3. 1364 Patricia Drive, East Fork Township.
 4. 1303 Toiyabe Ave., Eark Fork Township
 5. 1780 Bobcat Road, East Fork Township
 6. _____
 7. _____

(4-7 might not be necessary depending upon circumstances)

DATE/TIME OF POSTINGS: FRIDAY 03-08-91, between 1120 and 1210 Hours.



JERRY MAPLE, SHERIFF
DOUGLAS COUNTY, NEVADA
by

G.F. Wennhold
G.F. Wennhold
DEPUTY SHERIFF

SUBSCRIBED AND SWORN TO THIS 8th
DAY OF March, 1991.

Janice F. Frayo
NOTARY PUBLIC

246231

AFFIDAVIT OF SERVICE

STATE OF NEVADA

ss.

COUNTY OF DOUGLAS

G.F. Wennhold being first duly sworn, deposes and says:
That affiant is a citizen of the United States, over 18 years of age,
not a party to the within entitled action, and in the County of
Douglas, State of Nevada, affiant personally served the documents
listed to the party at the location and date and time reported.

DOCUMENTS: WRIT OF ATTACHMENT and Notice of Rights under Attachment

NINTH JUDICIAL DISTRICT COURT 24805
court name court case number

WHO WAS SERVED: Betty Wilson, tenant, was served with a copy of the above
documents.

LOCATION OF SERVICE: 3357 Onyx Court, East Fork Township.

DATE AND TIME OF SERVICE: FRIDAY, 03-08-91, 1256 Hours.



JERRY MAPLE, SHERIFF
DOUGLAS COUNTY, NEVADA
by
G.F. Wennhold
G.F. Wennhold
DEPUTY SHERIFF

SUBSCRIBED AND SWORN TO THIS 8th
DAY OF March, 1991.

Janice F. Frayo
NOTARY PUBLIC
form OPRIN0007 rev. 09-90

REQUESTED BY
Douglas County Sheriff
IN OFFICIAL RECORDS OF
DOUGLAS CO., NEVADA

91 MAR -8 P2:54

SUZANNE BEAUDREAU **246231**
RECORDER

\$ *Paio Br* DEPUTY
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