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6 File No. 48,896

7 Attorneys for Plaintiff
BOYD FLOTATION, INC.

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9 SUPERIOR COURT FOR THE STATE OF CALIFORNIA

10 COUNTY OF CONTRA COSTA

11 UNLIMITED CIVIL JURISDICTION

12 BOYD FLOTATION, INC., a
corporation,

13 Plaintiff,

14 vs.

15 S.M. "SANDY" HOCHMAN, JR. a.k.a.
16 SHAYEL MORTON HOCHMAN, JR..
individually and d.b.a. S. HOCHMAN
17 COMPANY; S. HOCHMAN
COMPANY, INC.. a corporation,

18 AND DOES I THROUGH X, AND
19 EACH OF THEM, INCLUSIVE,

20 Defendants.

CASE NO. C-04-01274

~~[PROPOSED]~~

ORDER GRANTING MOTION FOR
ASSIGNMENT OF RIGHTS, RESTRAINING
ORDER, AND TURNOVER ORDER, AND
ORDER TO APPEAR ON A WEEKLY BASIS

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22 Said notice of motion and motion for assignment of rights having come on regularly for
23 hearing this 15th day of September, 2005 at 8:30 a.m. before the undersigned Judge of the Superior
24 Court, and Plaintiff BOYD FLOTATION, INC., a corporation, having submitted the matter based
25 upon the Tentative Ruling, and no opposition nor appearance filed by the Defendant, and no claim
26 of exemption having been filed therein, and for good cause appearing, therefore,

27 IT IS HEREBY ORDERED that the motion for assignment of rights, turnover order, and
28 restraining order be and the same is hereby granted.

FILED

2005 OCT 17 P D C

1 IT IS FURTHER ORDERED that all accounts, accounts receivable, rights to payment of
2 money, contract rights, rights to payment of money from third parties, contingent rights, deposits
3 and deposit accounts, claims against third parties, monies due from third parties, due and in favor
4 of and for the benefit of Defendants, or any of Defendant's family members, business associates,
5 partners, assignees, and other persons acting on his behalf, due Defendants S.M. "SANDY"
6 HOCHMAN, JR. a.k.a. SHAYEL MORTON HOCHMAN, JR., individually and d.b.a. S.
7 HOCHMAN COMPANY, and S. HOCHMAN COMPANY, INC., a corporation, are hereby
8 assigned to Plaintiff BOYD FLOTATION, INC., a corporation, care of its attorney, David J.
9 Cook, Cook, Perkiss & Lew, P.L.L.C., 333 Pine Street, Third Floor, San Francisco, CA 94104 for
10 purposes of payment of the Judgment in the amount of \$80,000, plus interest and costs as may be
11 allowed.

12 IT IS FURTHER ORDERED that Defendants S.M. "SANDY" HOCHMAN, JR. a.k.a.
13 SHAYEL MORTON HOCHMAN, JR., individually and d.b.a. S. HOCHMAN COMPANY, and
14 HOCHMAN COMPANY, INC., a corporation, are hereby stayed, prohibited and enjoined, from
15 cashing, negotiating, advancing, collecting, any and all accounts, accounts receivable, rights to
16 payment of money, claims for payment of money due from third parties, or other rights subject to
17 the assignment herein.

18 IT IS FURTHER ORDERED that Defendants S.M. "SANDY" HOCHMAN, JR. a.k.a.
19 SHAYEL MORTON HOCHMAN, JR., individually and d.b.a. S. HOCHMAN COMPANY, and
20 HOCHMAN COMPANY, INC., a corporation, hereby prohibited, stayed and enjoined, from the
21 assignment, mortgage, lien, or sale of any of the accounts, accounts receivable, rights to payment
22 of money, and claims for payment of money due from third parties, the subject matter of the
23 assignment hereunder.

24 IT IS FURTHER ORDERED that Defendants S.M. "SANDY" HOCHMAN, JR. a.k.a.
25 SHAYEL MORTON HOCHMAN, JR., individually and d.b.a. S. HOCHMAN COMPANY, and
26 HOCHMAN COMPANY, INC., a corporation, shall deliver all checks, cash, notes, instruments,
27 deposits, deposit accounts, checks, drafts or warrants, to the Sheriff, County of Contra Costa, 651
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1 Pine Street, 7th Floor, Martinez, CA 94553.

2 IT IS FURTHER ORDERED that Defendants S.M. "SANDY" HOCHMAN, JR. a.k.a.
3 SHAYEL MORTON HOCHMAN, JR., individually and d.b.a. S. HOCHMAN COMPANY, and
4 HOCHMAN COMPANY, INC., a corporation appear on a weekly basis, before the below court,
5 to testify as to the condition of all of the accounts and accounts receivable, notes, instruments.
6 checks, warrants, deposits, and other rights to payment of money and evidence thereof, and to
7 periodically hand over and deliver to the Clerk of the Court. for the benefit of Plaintiffs, any and
8 all documentary evidence of any of the accounts herein, including checks, drafts, money orders,
9 accounts and deposit accounts, pursuant to C.C.F. § 708.119(a) and C.C.P. § 708.250.

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11 DATED: OCT 17 2005

DIANA BECTON SMITH
JUDGE OF THE SUPERIOR COURT

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13 **NOTICE TO JUDGMENT DEBTOR**

14 PLEASE TAKE NOTICE THAT THE COURT HAS ENTERED AN ORDER
15 ASSIGNING CERTAIN RIGHTS AND PROVIDING FOR A RESTRAINING ORDER, AND
16 OTHER RELIEF. FAILURE TO COMPLY WITH THIS ORDER MAY RESULT IN
17 CONTEMPT IN WHICH YOU MAY BE INCARCERATED IN THE COUNTY JAIL OF NOT
18 MORE THAN 5 DAYS AND PAYMENT OF NOT MORE THE SUM OF \$1,000 PURSUANT
19 TO CALIFORNIA CODE OF CIVIL PROCEDURE SECTION 1209.

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