

COOK

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August 26, 2005

TO: ALL BANKS
ATTN: OPERATIONS

Re: In the Matter of the Estate of JUAN JOSE TELLECHEA. Deceased
RODOLFO VELASQUEZ vs. JOSE TELLECHEA. Administrator of the Estate
of Juan Jose Tellechea - Alameda County Superior Court Case No. H 27343-1
Our File No. 49,707

Dear Sir or Madam:

This office represents the Plaintiff in the above entitled matter. Please be advised that on August 24, 2005, the Alameda County Superior Court entered an order assigning to Plaintiff all of the accounts, accounts receivable, **deposits and deposit accounts**, rights to payment of monies, including any monies due from any insurance company, governmental entity, or the like, and monies on deposit with any bank, from the Defendants, all for the purpose of satisfying the Judgment in favor of the Plaintiff in the amount of \$31,895. The name and address of the Defendant subject to this order is set forth below:

RODOLFO VALESQUEZ
58 Lobos Street
San Francisco, CA 94112

We enclose a copy of the order and direct that instead of making payment to the Defendants, that you make payment to our offices by addressing the check(s), as follows:

JOSE TELLECHEA, Administrator of the Estate of Juan Jose Tellechea
c/o DAVID J. COOK, ESQ., COOK, PERKISS & LEW, P.L.C.
P.O. Box 270, San Francisco, CA 94104-0270

This order is binding upon the Defendants, and all monies due the Defendants are now due the Plaintiff. Failure to comply with this order may result in your liability for double payments. WE DO NOT HAVE A TAX I.D. NUMBER.

Please acknowledge receipt by executing where indicated below on the enclosed copy of this letter and returning the same to us via fax at **(415) 989 0491**. You may also contact us through the Internet at the following: cookdavidj@aol.com or davidcook@cookcollectionattorneys.com.

DAVID J. COOK

I hereby acknowledge receipt of this demand letter.

DATED: _____

Name of Bank: _____

By: _____

Title: _____

1 DAVID J. COOK, ESQ. (State Bar # 060859)
ROBERT J. PERKISS, ESQ (State Bar # 62386)
2 DEBRA D. LEW, ESQ. (State Bar # 114537)
COOK, PERKISS & LEW
3 A PROFESSIONAL LAW CORPORATION
333 Pine Street, Suite 300
4 San Francisco, CA 94104-3381
Mailing Address: P.O. Box 270
5 San Francisco, CA 94104-0270
Tel.: (415) 989-4730 Fax: (415) 989-0491
6 File No. 49,707

7 Attorneys for Defendant and Judgment Creditor
JOSE TELLECHEA, Administrator of the Estate of Juan Jose Tellechea

8 SUPERIOR COURT FOR THE STATE OF CALIFORNIA

9 COUNTY OF ALAMEDA: SOUTHERN DIVISION

10 UNLIMITED CIVIL JURISDICTION

11 In the Matter of the Estate of	)	CASE NO. H 27343-1
12 JUAN JOSE TELLECHEA,	)	
13 Deceased.	)	NOTICE OF ORDER
14	)	
15 RODOLFO VELASQUEZ, et al.,	)	
16 Plaintiff,	)	
17 vs.	)	
18 JOSE TELLECHEA, Administrator of	)	
19 the Estate of Juan Jose Tellechea;	)	
20 Defendant.	)	

21 TO RODOLFO VELASQUEZ, AND TO HIS ATTORNEYS OF RECORD:

22 PLEASE TAKE NOTICE that on August 24, 2005 the court entered that ORDER
23 GRANTING MOTION FOR ASSIGNMENT OF RIGHTS AND RESTRAINING ORDER, a
24 copy of which is attached hereto marked *Exhibit "A"* and incorporated by reference.

25 DATED: August 26, 2005

COOK, PERKISS & LEW, P.L.C.

26 By:

DAVID J. COOK, ESQ.

27 Attorneys for Defendant and Judgment Creditor
JOSE TELLECHEA, Administrator of the Estate of
28 Juan Jose Tellechea

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NOTICE TO JUDGMENT DEBTOR

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

F:\DJC\tele.ord2

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File No. 49,707

ENDORSED
FILED
ALAMEDA COUNTY

AUG 24 2005

CLERK OF THE SUPERIOR COURT
By E. Opelski-Erickson, Deputy

7 Attorneys for Defendant and Judgment Creditor
8 JOSE TELLECHEA, Administrator of the Estate of Juan Jose Tellechea

9 SUPERIOR COURT FOR THE STATE OF CALIFORNIA

10 COUNTY OF ALAMEDA: SOUTHERN DIVISION

11 UNLIMITED CIVIL JURISDICTION

12 In the Matter of the Estate of)

CASE NO. H 27343-1

13 JUAN JOSE TELLECHEA,)

14 Deceased.)

ORDER GRANTING MOTION FOR
ASSIGNMENT OF RIGHTS AND
RESTRAINING ORDER

15 RODOLFO VELASQUEZ, et al.,)

16 Plaintiff,)

17 vs.)

18 JOSE TELLECHEA, Administrator of)
19 the Estate of Juan Jose Tellechea,)

20 Defendant.)

21 Said notice of motion and motion for assignment of rights having come on regularly for
22 hearing this 25th day of July, 2005 at 9:00 a.m. in Dept. 31 before the Honorable James Richman,
23 Judge of the Superior Court, and Robert J. Perkiss, Esq. of Cook, Perkiss & Lew, P.L.C.,
24 appearing for Defendant and Judgment Creditor JOSE TELLECHEA, Administrator of the Estate
25 of Juan Jose Tellechea, and Plaintiff and Judgment Debtor RODOLFO VELASQUEZ
26 ("VELASQUEZ") appearing In Pro Per, and no claim of exemption having been filed therein, and
27 for good cause appearing, therefore,
28

EXHIBIT

A

PAK
1 IT IS HEREBY 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 VELASQUEZ ~~or any of VELASQUEZ's family members, business~~
5 ~~associates, partners, assignees, and other persons acting on his behalf, due VELASQUEZ,~~ be and
6 the same are hereby assigned to Judgment Creditor JOSE TELLECHEA, Administrator of the
7 Estate of Juan Jose Tellechea, care of its attorney, David J. Cook, Cook, Perkiss & Lew, P.L.C.,
8 333 Pine Street, Third Floor, San Francisco, CA 94104 for purposes of payment of the Judgment
9 in the amount of \$31,895, plus interest and costs as may be allowed.

10 IT IS FURTHER ORDERED that VELASQUEZ is hereby stayed, prohibited and
11 enjoined, from cashing, negotiating, advancing, collecting, any and all accounts, accounts
12 receivable, rights to payment of money, claims for payment of money due from third parties, or
13 other rights subject to the assignment herein.

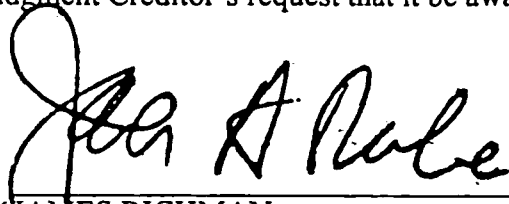
14 IT IS FURTHER ORDERED that VELASQUEZ is hereby prohibited, stayed and
15 enjoined, from the assignment, mortgage, lien, or sale of any of the accounts, accounts receivable,
16 rights to payment of money, and claims for payment of money due from third parties, the subject
17 matter of the assignment hereunder.

18 IT IS FURTHER ORDERED that the motion for turnover order as to VELASQUEZ is
19 DENIED WITHOUT PREJUDICE.

20 IT IS FURTHER ORDERED that the motion for VELASQUEZ to appear on a weekly
21 basis for debtor's examination is DENIED.

22 IT IS FURTHER ORDERED that Judgment Creditor's request that it be awarded
23 supplemental attorneys fees is DENIED.

24
25 DATED: AUG 24 2005

PAK 
JAMES RICHMAN
JUDGE OF THE SUPERIOR COURT