

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name and Address): (415) 391-3900 TELEPHONE NO.:		FOR COURT USE ONLY
ANDREW H. WILSON, ESQ., SBN 063209 WILSON CAMPILONGO LLP 115 Sansome Street, Suite 400 San Francisco, California 94104		
ATTORNEY FOR (Name): Plaintiffs/Judgment Creditors		
NAME OF COURT: MARIN SUPERIOR COURT STREET ADDRESS: 3501 Civic Center Drive MAILING ADDRESS: CITY AND ZIP CODE: San Rafael, CA 94903 BRANCH NAME:		
PLAINTIFF: CHURCH OF SCIENTOLOGY INTERNATIONAL DEFENDANT: GERALD ARMSTRONG, ET AL.		
APPLICATION FOR <input checked="" type="checkbox"/> RIGHT TO ATTACH ORDER <input type="checkbox"/> TEMPORARY PROTECTIVE ORDER <input checked="" type="checkbox"/> ORDER FOR ISSUANCE OF WRIT OF ATTACHMENT <input type="checkbox"/> ADDITIONAL WRIT OF ATTACHMENT <input checked="" type="checkbox"/> After Hearing <input type="checkbox"/> Ex Parte <input type="checkbox"/> Against Property of Nonresident		CASE NUMBER: 157680

1. Plaintiff (name): Church of Scientology International makes application

- after hearing
 ex parte for
- right to attach order and writ of attachment.
 - writ of attachment.
 - additional writ of attachment.
 - temporary protective order.
 - an order directing the defendant to transfer to the levying officer possession of
 - property in defendant's possession.
 - documentary evidence in defendant's possession of title to property.
 - documentary evidence in defendant's possession of debt owed to defendant.

2. Defendant (name): Michael Walton

- is a corporation
 - qualified to do business in California.
 - not qualified to do business in California.
- is a California partnership or other unincorporated association.
- is a foreign partnership which
 - has filed a designation under Corp C 15760.15800
 - has not filed a designation under Corp C 15760.15800
- is a natural person who
 - resides in California.
 - does not reside in California.

3. Attachment is not sought for a purpose other than recovery on a claim for money which is not secured within the meaning of CCP 483.010

- and is based upon a contract; the facts showing plaintiff is entitled to a judgment are set forth in the
- verified complaint.
 - attached affidavit.
 - following facts:

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4. The claim arises out of conduct by the defendant who is a natural person of a trade, business or profession. The claim is not based on the sale or lease of property, a license to use property, the furnishing of services, or the loan of money where any of the foregoing was used by the defendant primarily for personal, family, or household purposes.
5. The amount to be secured by the attachment is
\$ 300,000
- a. which includes estimated costs of
\$
- b. which includes estimated allowable attorney fees of
\$
6. Plaintiff has no information or belief that the claim is discharged or the prosecution of the action is stayed in a proceeding under Title 11 of the United States Code (Bankruptcy).
7. Plaintiff is informed and believes that the following property sought to be attached for which a method of levy is provided is subject to attachment:
- a. Any property of a defendant who is not a natural person.
- b. Any property of a nonresident defendant.
- c. Property of a defendant who is a natural person (describe property and identify statute providing for method of levy):
Proceeds of fire insurance policy held by Michael and/or Solina Walton for the residence located at 707 Fawn Dr., San Anselmo, CA. Civil Code Section 3439.07(a)(2).

Where required provide the following additional information:

- (1) The property is in the possession, custody, or control of a nondefendant or a nondefendant has an interest in the property (state the name and address of the nondefendant):
- (2) The property is a crop, timber, or mineral or the like (describe the real property on which it is located):
- (3) The property is covered by a bulk sales notice or escrow.
- (4) The property is plaintiff's share of proceeds from an escrow in which defendant's liquor license is sold (specify license number):
- (5) The property is money of a defendant who is a natural person, and the property is
- (a) located on the premises where a trade, business, or profession is conducted by defendant;
- (b) in excess of \$1,000 located elsewhere than on the premises where a trade, business, or profession is conducted by defendant and not in deposit accounts;
- (c) located in a deposit account in excess of \$1,000;
- (d) in excess of an aggregate amount of \$1,000 located
- in deposit accounts.
- in a deposit account and money located elsewhere than on the premises where a trade, business, or profession is conducted by defendant.

8. Plaintiff is informed and believes that the property sought to be attached is not exempt from attachment.
9. The court issued a Right to Attach Order on (date): pursuant to CCP 484.090 (on hearing)
- and Order for Writ of Attachment pursuant to CCP 492.030 (nonresident).
- and Order for Writ of Attachment pursuant to CCP 485.220 (ex parte).
10. The court found plaintiff is entitled to a Right to Attach Order pursuant to CCP 485.240 on (date):
11. Nonresident defendant has not filed a general appearance.

12. Plaintiff

- alleges on ex parte application for order for writ of attachment
- is informed and believes on application for temporary protective order that plaintiff would suffer great or irreparable injury if the order is not issued before the matter can be heard on notice because
- a. it may be inferred that there is a danger that the property sought to be attached would be
- concealed
 - substantially impaired in value
 - made unavailable to levy by other than concealment or impairment in value
- and the inference is supported by facts set forth in the
- verified complaint.
 - attached affidavit.
 - following facts (specify):
- b. 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.
- c. an escrow has been opened pursuant to the provisions of Bus & PC 24074 with respect to the sale by the defendant of a liquor license (specify license number):
- d. other circumstances (specify):

13. Plaintiff requests the following relief in the temporary protective order (specify):

14. Plaintiff

- a. has filed an undertaking in the amount of \$
- b. has not filed an undertaking.

Date: May 13, 1997

Church of Scientology Inter.
(TYPE OR PRINT NAME OF PLAINTIFF)ANDREW H. WILSON
By: Attorneys for Plaintiff. . . .
(NAME AND TITLE)

 (SIGNATURE OF PLAINTIFF)

DECLARATION

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: May 13, 1997

. . . Andrew H. Wilson
(TYPE OR PRINT NAME)

 (SIGNATURE OF DECLARANT)

15. Total number of pages attached: 3