Form #5DC44

Ex Parte Motion for Examination of ☐ Judgment Debtor(s) or ☐ Person Having Knowledge of Judgment Debtor(s); Declaration; Order for Examination; Exhibit(s)

In The District Court of the Fifth Circuit State of Hawai'i	
Plaintiff(s)	Reserved for Court Use Civil No.
Defendant(s)	Filing Party/Attorney (Name, Attorney Number, Firm Name (if applicable), Address, Telephone and Facsimile Numbers)

Select one: ☐ Judgment Debtor(s): ☐ Person having knowledge & Relationship to Judgment Debtor(s):

EX PARTE MOTION FOR EXAMINATION OF ☐ JUDGMENT DEBTOR(S) OR ☐ PERSON HAVING KNOWLEDGE OF JUDGMENT DEBTOR(S)

TO THE JUDGE OF THE ABOVE-ENTITLED COURT: Judgment Creditor(s) moves the Court to enter an Order directing Judgment Debtor(s) or Person having knowledge of the affairs or property of Judgment Debtor(s) listed above to appear before this Court at a time certain, to be examined under Oath as to what property the Judgment Debtor(s) own(s) or has/have an interest in and what debts are owing to Judgment Debtor(s), and for such other and further relief as the Court may require.

Date:	Signature of Filing Party(ies)/Filing Party(ies)' Attorney: Print/Type Name:

I certify that this is a full, true and correct copy of the original on file in this office.

Clerk, District Court of the Above Circuit, State of Hawai'i

DECLARATION

I have read this Motion, know the contents and verify that the statements are true to my personal knowledge and belief. **I DECLARE UNDER PENALTY OF PERJURY THAT THE FOLLOWING IS TRUE AND CORRECT**:

1. I am Judgment Creditor or Judgment Creditor's attorney;

2. The Judgment (**a copy of which is attached as Exhibit A**) was entered in favor of Judgment Creditor(s) and against Judgment Debtor(s);

3. The Judgment has not been appealed (or if appealed, no bond has been filed), reversed, modified, set aside or satisfied except as aforesaid and otherwise remains in full force and effect.

4. The Judgment Creditor(s) is/are still the owner(s) and holder(s) of said Judgment; and

5. I am informed and believe that the person having knowledge of the affairs of Judgment Debtor(s) is acquainted with the financial and business affairs of Judgment Debtor(s).

Date:	Signature of Declarant: Print/Type Name:

ORDER FOR EXAMINATION

TO: JUDGMENT DEBTOR(S) AND/OR PERSON HAVING KNOWLEDGE OF JUDGMENT DEBTOR(S):

YOU ARE ORDERED TO:

1. **BRING WITH YOU** all books, papers and documents you have showing or tending to show what property said Judgment Debtor(s) may own or has/have an interest in and what debts are owing to said Judgment Debtor(s) and for such other and further relief as the Court may require; **AND**

1. **APPEAR AT THE COURT INDICATED BELOW AND AT THE TIME AND DAY SPECIFIED:**

COURT DATE AND ADDRESS

Kaua'i Judiciary Complex
Courtroom #2
3970 Kā'ana Street
Līhue, Hawai'i at 9:00 a.m. on _____
and should said Monday be a legal holiday then upon the next secular Monday.

THIS ORDER SHALL BE VOID AND OF NO EFFECT IF IT IS NOT SERVED WITHIN 6 MONTHS OF THE DATE OF THIS ORDER.

IF YOU DO NOT COME TO COURT AS ORDERED, YOU MAY BE ARRESTED FOR CONTEMPT OF COURT.

This Order shall not be personally delivered between 10:00 p.m. and 6:00 a.m. on premises not open to the public, unless a judge of the above entitled Court permits, in writing on this Order, personal delivery during those hours.

Date:	Judge of the above-entitled Court

In accordance with the **Americans with Disabilities Act**, and other applicable State and Federal laws, if you require an accommodation for a disability when working with a court program, service, or activity please contact the District Court Administration Office at PHONE NO. 482-2347, FAX 482-2509, OR TTY 482-2533 at least (10) working days in before your proceeding, hearing, or appointment date.

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