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11 File No. 54,225

12 Attorneys for Plaintiffs  
JOSEPH GARZA and MARY GARZA

13 SUPERIOR COURT FOR THE STATE OF CALIFORNIA  
14 COUNTY OF SAN FRANCISCO  
15 UNLIMITED CIVIL JURISDICTION  
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17 JOSEPH GARZA and MARY GARZA, )  
18 Plaintiff, )  
19 vs. )  
20 ASBESTOS CORPORATION )  
LIMITED, )  
21 Defendant. )  
22

**FILED**  
San Francisco County Superior Court

OCT 28 2010

CLERK OF THE COURT  
BY: *[Signature]* Deputy Clerk

ASBESTOS  
CASE NO. CGC-05-438144  
  
ORDER GRANTING MOTION FOR  
ASSIGNMENT OF RIGHTS AND  
RESTRAINING ORDER, AND ORDER  
DENYING TURNOVER ORDER

23 Said notice of motion and motion for assignment of rights having come on regularly for  
24 hearing on Asbestos Discovery Calendar for Thursday, October 28, 2010 Dept. 220 at 9:00 a.m.,  
25 before the Honorable Harold E. Kahn, Presiding Judge of the Superior Court, and David J. Cook,  
26 Esq. and Nathaniel L. Dunn, Esq., appearing on behalf of Plaintiffs JOSEPH GARZA AND  
27 MARY GARZA, and Mary L. Gambino, Esq., appearing on behalf of Defendant ASBESTOS

1 CORPORATION LIMITED,

2 And the court's

3 "Rulings: Line 2. Plaintiffs' motion for assignment of rights, restraining order and  
4 turnover order is granted in part and denied in part. The assignment of rights and  
5 restraining order requests are granted. Rights in bank accounts are assignable (see,  
6 e.g. City of King ~~King~~ v. Community Bank of Central California (2005) 131  
7 Cal.App.4th 913) and within the broad language of CCC 708.510. The request for a  
8 turnover order is denied. (Pacific Decision Sciences v. Superior Court (2004) 121  
9 Cal.App.4th 1100). = (220/HEK)"

10 IT IS HEREBY ORDERED that the motion for assignment of rights and restraining order  
11 is granted.

12 IT IS FURTHER ORDERED that any and all deposits, deposit accounts, and rights to  
13 payment of money, held, owned or controlled, in the name of or access to, ASBESTOS  
14 CORPORATION LIMITED, or its successors, which are in the hands of or in the possession of  
15 ~~any financial institution, which includes~~ The Royal Bank of Canada, Toronto Dominion Bank,  
16 Bank of Montreal, Bank of Nova Scotia, and Canadian Imperial Bank of Commerce, and each of  
17 the same, (all hereinafter "Obligors"), are hereby assigned to Plaintiffs JOSEPH GARZA AND  
18 MARY GARZA, care of its attorney, David J. Cook, Cook Collection Attorneys, PLC, 165 Fell  
19 Street, Third Floor, San Francisco, CA 94102 for purposes of payment of the Judgment in the  
20 amount of \$11,239,005.53, in which the current balance is now \$15,700,736.77, including accrued  
21 interest, as of July 30, 2010, plus additional interest and costs as may be allowed.

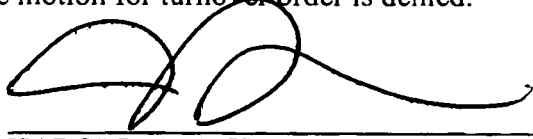
22 IT IS FURTHER ORDERED that Defendant ASBESTOS CORPORATION LIMITED, is  
23 hereby stayed, prohibited and enjoined, from ~~cash, negotiating, advancing, collecting, any and~~  
24 ~~DISPOSING AND ALL ASSIGNED RIGHTS UNDER THIS~~ ~~all accounts, accounts receivable, rights to payment of money, claims for payment of money~~  
25 ~~ORDER.~~ ~~from the obligors, or other rights subject to the assignment herein.~~

26 IT IS FURTHER ORDERED that Defendant ASBESTOS CORPORATION LIMITED, is  
27 hereby prohibited, stayed and enjoined, from the assignment, mortgage, lien, or sale of any of the  
28 accounts, accounts receivable, rights to payment of money, and claims for payment of money due  
29 from the obligors, the subject matter of the assignment hereunder.

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IT IS FURTHER ORDERED that the motion for turnover order is denied.

DATED: 10/28/10



HAROLD E. KAHN  
PRESIDING JUDGE OF THE SUPERIOR COURT

**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, *subject to practicalities that a corporation cannot ~~be~~ be incarcerated.*