

RULE TO SHOW CAUSE AND ORDER FOR SUPPLEMENTARY PROCEEDINGS

IT APPEARING from the Motion of (hereinafter designated "Plaintiff") that a Judgment has been rendered against the Defendant, (hereinafter designated Defendant), and that the Defendant has property which it unjustly refuses to apply towards satisfaction of said Judgment; and,

IT FURTHER APPEARING that the Plaintiff is entitled to examine the Defendant under oath concerning any assets which it may own, and to locate and ascertain the financial assets of the Defendant, for the purpose of satisfying the Judgment obtained against the said Defendant, as more fully described in the attached Motion;

NOW, THEREFORE, IT IS ORDERED THAT this matter be referred to the Honorable Roger M. Young, for further proceedings consistent with this Order and that the aforesaid Defendant appear before the said Master-In-Equity on the ____ day of _____, 199 __ at ____ .M., in compliance with the said Motion and this Order, at the Honorable Roger M. Young's Office, Charleston County Courthouse, Charleston, South Carolina, to answer under oath concerning your assets questions propounded to Defendant by the Plaintiff; to SHOW CAUSE why your property should not be applied toward satisfaction of the judgment(s) set out in the Motion; and to SHOW CAUSE why a Receiver of your property should not be appointed, pursuant to the provisions of S.C. Code Ann. Section 15-39-430.

IT IS FURTHER ORDERED that pursuant to S.C. Code Ann. Section 15-39-390 and Rule 53 SCRPC the Master in Equity will entertain and rule upon all motions necessary to dispose of this matter, to include but not limited to, motions to dismiss, motions to appoint Receiver, motions to continue the matter and motions to sell all or certain property of judgment debtor in satisfaction of the Plaintiff's debt and has authority to enter a Final Order, with any appeal directly to the South Carolina Supreme Court.

IT IS FURTHER ORDERED THAT COPIES OF THIS ORDER, AND THE ATTACHED MOTION, BE PERSONALLY SERVED AS PROMPTLY AS POSSIBLE ON THE AFORESAID DEFENDANT.

YOU ARE FURTHER ORDERED TO BRING WITH YOU TO THE HEARING THE FOLLOWING:

1. Current checkbooks or any accounts in the name of said Respondent, along with bank statements on said accounts for the past twelve (12) months and canceled checks on any such accounts from January 1, 1993, to present.
2. Detailed statements of Accounts received belonging to Defendant, whether or not the same may be pledged or hypothecated.

3. Any certificates of deposit, savings account passbooks, stock certificates in any publicly held or closely held corporations as well as any bonds owned by Defendant either separately or jointly held with others.
4. Any balance sheets, profit and loss statements or financial statements, audited or unaudited, prepared and issued by Defendant since January 1, 1993.
5. Certificates of title to any vehicles, mobile homes or water craft owned by Defendant either separately or jointly due to any lien on any of said vehicle or mobile homes or water craft, then in lieu thereof a written statement detailing a description of each item including year, model, serial number, present value and the amount of any lien therein shall be furnished.
6. Any Deeds, Mortgages, Notes, Contracts of Sale, and Settlement or Closing Statements relating to any real estate transactions involving Defendants since
7. Copies of any life insurance policies owned by Defendant, along with any information pertaining to any loans outstanding on any of said policies.
8. A written inventory or any items of jewelry or art owned by Defendant, including a description of each item of jewelry or art and its most appraised evaluation.
9. Any leases of realty or personally in favor of Defendant either individually, or jointly with others.
10. Any and all books, recorded, documents, or writings concerning the financial status of Defendant not herein before specified.
11. Any tax receipts, tax returned, tax supplement forms, and any and all other documents, forms, or letters filed with the United States Internal Revenue Service, or the South Carolina Tax Commission, or the Tax authority of any other state within the last five years.

Circuit Court Judge

DATED: _____, 199__

Charleston, South Carolina

MOTION FOR SUPPLEMENTARY PROCEEDINGS

PLAINTIFF, _____, (hereinafter designated "Plaintiff") alleges:

1. The Plaintiff has duly recovered Judgment against the Defendant, _____, (hereinafter designated "Defendant") as is evidenced by the Judgment Rolls of this Honorable Court, in the amount of \$ _____ Dollars, which balance, together with interest at the lawful statutory rate, remains unpaid. An execution against the property of the Judgment Debtor was returned by the Sheriff unsatisfied and marked "nulla bona," a copy of which is attached hereto as Exhibit "A".
2. The Plaintiff is informed and believes that the Defendant may have property and assets which it unjustly refuses to apply toward the Satisfaction of the said Judgment.
3. The Plaintiff is of the opinion that it is entitled, therefor, to examine the Defendant under oath concerning any assets which it may own in order to locate and ascertain the financial assets of the Defendant for the purpose of satisfying the Judgment obtained against the said Defendant.
4. The Plaintiff is of the opinion that it is entitled to have the Defendant required by Subpoena to produce for inspection in advance of the aforesaid examination any and all books, records, and documents concerning the financial status of the Defendant.

WHEREFORE, Plaintiff prays as follows:

1. For an order requiring the Defendant to appear before the Honorable Circuit Judge or his Appointee or Referee, at some time and place to be designated in said Order to answer under oath questions propounded to it by Plaintiff;
2. For a Subpoena directing the aforesaid Defendant to produce for inspection in advance of the aforesaid examination all books, records and documents relating to the financial status of the Defendant; and
3. For such other and further relief as this Honorable Court may deem just and proper.

Attorney for Plaintiff

Dated: _____, 199 _____

Attorney for Plaintiff

Charleston, South Carolina