

2007

Lui Enterprises v. Utah Labor Commission,
Industrial Accidents Division : Utah Labor
Commission, Industrial Accidents Division v.
Salote Vuki, Vuki S and A Take Out Catering, Lui
Enterprises : Brief of Appellant

Utah Court of Appeals

Follow this and additional works at: https://digitalcommons.law.byu.edu/byu_ca3



Part of the [Law Commons](#)

Original Brief Submitted to the Utah Court of Appeals; digitized by the Howard W. Hunter Law Library, J. Reuben Clark Law School, Brigham Young University, Provo, Utah; machine-generated OCR, may contain errors.

Mark E. Medcalf; Richer & Overholt; Attorney for Labor Commission.

T. Laura Lui; Attorney for Lui Enterprises.

Recommended Citation

Brief of Appellant, *Lui Enterprises v. Utah Labor Commission*, No. 20070149 (Utah Court of Appeals, 2007).

https://digitalcommons.law.byu.edu/byu_ca3/99

This Brief of Appellant is brought to you for free and open access by BYU Law Digital Commons. It has been accepted for inclusion in Utah Court of Appeals Briefs by an authorized administrator of BYU Law Digital Commons. Policies regarding these Utah briefs are available at

http://digitalcommons.law.byu.edu/utah_court_briefs/policies.html. Please contact the Repository Manager at hunterlawlibrary@byu.edu with questions or feedback.

IN THE UTAH COURT OF APPEALS

LUI ENTERPRISES,

Appellant,

vs.

UTAH LABOR COMMISSION,
INDUSTRIAL ACCIDENTS DIVISION,

Appellee.

**ADDENDUM OF APPELLANT
LUI ENTERPRISES**

Appellate Docket No. 20070149-CA

UTAH LABOR COMMISSION,
INDUSTRIAL ACCIDENTS DIVISION,

Plaintiff,

vs.

SALOTE VUKI dba VUKI S & A TAKE
OUT CATERING,

Defendants,

LUI ENTERPRISES,

Garnishee/Defendant.

District Court Case No. 056909867

District Judge: Tyrone Medley

APPEAL FROM THE THIRD JUDICIAL DISTRICT COURT

SALT LAKE COUNTY, JUDGE TYRONE MEDLEY

MARK E. MEDCALF
RICHER & OVERHOLT, P.C.
UTAH BAR NO. #5404
901 West Baxter Drive
South Jordan, Utah 84095
Telephone: (801) 561-4750
Attorney for Labor Commission

T. LAURA LUI
Attorney at Law
UTAH BAR NO. 10472
2733 Parleys Way, #204
Salt Lake City, Utah 84109
Telephone: (801) 359-8003
Attorney for Lui Enterprises

**FILED
UTAH APPELLATE COURTS
OCT 30 2007**

Mark E. Medcalf # 5404
RICHER & OVERHOLT, P.C.
Attorneys for Plaintiff
901 West Baxter Drive
South Jordan, Utah 84095
Telephone: (801) 561-4750

IN THE THIRD DISTRICT COURT OF THE STATE OF UTAH

SALT LAKE COUNTY, SALT LAKE DEPARTMENT

Court Address: 450 South State Street, P.O. Box 1860, Salt Lake City, Utah 84111

UTAH LABOR COMMISSION, INDUSTRIAL ACCIDENTS DIVISION, Plaintiff, v. SALOTE VUKI dba YIKI S & A TAKE OUT & CATERING, Defendants. LUI ENTERPRISES, Garnishee.	GARNISHEE'S ANSWERS TO INTERROGATORIES FOR CONTINUING GARNISHMENT INITIAL PAY PERIOD Civil No. 056909867 Judge Medley
-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--------------------------------------------------------------------------------------------------------------------------------------------------------

Write your answers in the spaces provided. Attach additional sheets if necessary.

1. Are there any other Writs of Continuing Garnishment in effect?

ANSWER: Yes ☐ No ☒

2. If yes, when will the last of them expire?

ANSWER: _____

3. What is the pay period to which these answers relate:

ANSWER: Start Date _____ Defendant does not receive
a wage from Lui Enterprise nor
on payroll

End Date _____

4. Is the Writ of Continuing Garnishment in effect on the last day of this period? (The Writ is in effect for 120 days after the date of service on you or for 120 days after the date the previous Writ expired, whichever is later. A Writ of Continuing Garnishment in favor of the Office of Recovery Services or the Department of Workforce Services is effective when served on you and continues indefinitely until fully satisfied.)

ANSWER: Yes ☐ No ☐ N/A

5. (a) Do you pay the Defendant money on a periodic basis?

ANSWER: Yes ☐ No ☒

(b) What is the pay period?

ANSWER: ☐ Weekly; ☐ Biweekly; ☐ Semi-monthly; ☐ Monthly; ☐ Other _____

(c) What is the next pay date?

ANSWER: N/A

6. Calculate in the table, the amount to be withheld from the Defendant. Assume you are calculating this on the last day of the pay period for which these answers apply.

ANSWER:

(1) Gross earnings from all sources payable to the Defendant for personal services, including salary, wages, tips, commissions, bonuses, per diem, reimbursement of expenses, etc.	\$
(2) Deductions required by law.	
(a) Federal Income Tax	\$
(b) State Income Tax	\$
(c) Social Security Tax	\$
(d) Medicare Tax	\$
(e) Other amounts required by law to be deducted. (Please describe reason for deduction).	\$
(3) Total deductions. Calculate and record the sum of Lines (2)(a) through (2)(e).	\$
(4) Disposable earnings. Calculate and record Line (1) minus Line (3)	\$

(5) Calculate:	
(a) 25% of the amount in Line (4); or, if this is a judgment for child support, 50% of the amount of Line (4).	\$
(b) The difference between Line (4) and the federal minimum hourly wage (\$5.15) times 30 times the number of weeks in this pay period. <i>For example:</i> Line (4) minus (\$5.15 x 30 x 2 weeks) OR Line (4) minus \$5.15 x 30 x 4.28 weeks)	\$
(6) of Line (5)(a) and Line (5)(b), record the lesser amount	\$
(7) Amount deducted for an undisputed debt owed to you by the (check one or both): <input type="checkbox"/> Plaintiff <input type="checkbox"/> Defendant	\$
(8) Total amount to be withheld. (Calculate and record Line (6) minus Line (7).	\$

7. Do you possess or control any other property or money in which Defendant has an interest?

ANSWER: Yes ☐ No ☒

8. If yes, explain in the table below.

ANSWER:

Description of Property	Name and address of person with possession	Nature and value of defendant's interest

(Add this amount to the amount calculated in the table for Question 6. You should handle the property as directed in the Writ of Garnishment.)

9. Do you know of any other employment, income, or income-producing activities of the Defendant?

ANSWER: Yes ☐ No ☒

10. If yes, explain in the space below.

ANSWER: _____

11. Do you know about any of the Defendant's other property or other debts to Defendant?

ANSWER: Yes ☐ No ☒

12. If yes, explain in the table below.

ANSWER:

Description of Property	Name and address of person with possession	Nature and value of defendant's interest

13. I served a copy of these Answers to Interrogatories on the **Plaintiff** (or Plaintiff's attorney) by:

- ☒ First class mail
☐ Hand delivery

To: [Address] 901 W. Baxter Dr., S.J. VT 84095
On: [Date] 4/25/06

14. I served a copy of this Writ of Garnishment, these Answers to Interrogatories, Notice of Garnishment and Exemptions form, and two copies of the Reply and Request for Hearing form on the **Defendant** by:

- ☐ First class mail
☒ Hand delivery

To: [Address] 1649 E. Nichole Cir. Sandy, VT 84093
On: [Date] 4/25/06

15. I served a copy of the Writ of Garnishment, these Answers to Interrogatories,

Notice of Garnishment and Exemptions form, and two copies of the Reply and Request for hearing form upon the **following persons other than the Defendant shown by my records to have an interest in the property** by:

- ☐ First class mail
- ☐ Hand delivery

To: [Address] _____

On: [Date] _____

16. I swear or affirm that the above statements are true to the best of my information and belief.

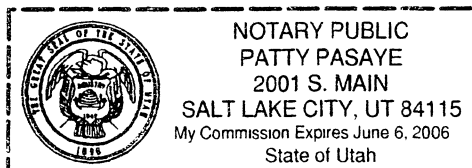
Olisi V Lui
Printed Name

Olisi V Lui
Signature of the Garnishee or Garnishee's Authorized Agent

Notary Clause

Olisi V Lui is personally known to me or presented satisfactory proof of identity to me. After being sworn and while under oath Olisi V Lui stated that ~~he~~ or ~~she~~ was acting voluntarily, had read and understood the preceding document, and that the contents were true. Olisi V Lui then signed the document in my presence.

Signed this 20th day of April 2006.



Patty Pasaye
Notary Public
My Commission Expires:

Mark E. Medcalf # 5404
RICHER & OVERHOLT, P.C.
901 West Baxter Drive
South Jordan, Utah 84095
Telephone: (801) 561-4750

Attorneys for Plaintiff

DATE 21 June 06 TIME 12:15 P
FILED 01465 So. State St #1001151
UPON SALOTE VUKI (Garnishee) Lui (Plaintiff)
CONSTABLE REITZ, SALT LAKE COUNTY, UTAH
DEPUTY [Signature]
255-5466

IN THE THIRD DISTRICT COURT OF THE STATE OF UTAH
SALT LAKE COUNTY, SALT LAKE DEPARTMENT

UTAH LABOR COMMISSION,
INDUSTRIAL ACCIDENTS
DIVISION,,

Plaintiff,

v.

SALOTE VUKI dba VUKI S & A
TAKE OUT & CATERING,

Defendants.

LUI ENTERPRISES,

Garnishee.

**MOTION FOR ORDER TO SHOW
CAUSE IN RE: CONTEMPT OF
COURT FOR FAILURE TO
COMPLY WITH WRITS OF
GARNISHMENT, ATTORNEY'S
FEES, COSTS OF COURT AND
OTHER RELATED ISSUES AND
ORDER**

Civil No. 056909867

Judge Medley

COMES NOW, the Utah Labor Commission, by and through its counsel of record, Mark E. Medcalf of Richer & Overholt, P.C., and hereby moves this Court pursuant to Rule 64(1), Utah Rules of Civil Procedure, for an Order directing the Garnishee, Lui Enterprises, to appear before this Court and then and there show the Court why the Garnishee should not be held in contempt of Court for failure to comply with the prior Orders of this Court and why Plaintiff should not be awarded

judgment against said individual for the sums which Garnishee should have paid over to Plaintiff which our information and belief is the sum of \$4,360.51, plus attorney's fees and costs of court.

In support of this Motion, Plaintiff shows the Court as follows:

FACTS

1. Judgment was entered against Defendant Salote Vuki dba Vuki S & A Take Out & Catering, by the filing of an Abstract of Award of the Utah Labor Commission with this Court on April 27, 2005. The current outstanding amount of the judgment is \$4,360.51. (See Court file.)

2. After entry of this judgment, this Court issued a Writ of Garnishment to Garnishee Lui Enterprises, which required Garnishee to withhold any and all monies owed to said Defendant and to submit an answer to the Writ of Garnishment within five days of the date of service..

3. On February 1, 2006, a constable served the Writ of Garnishment on Garnishee. Despite service of this Writ of Garnishment, Garnishee has failed and refused to submit an Answer to this Writ of Garnishment either to the Court or to the Plaintiff.

ARGUMENT

Pursuant to Rule 64(D)(i) and (j), a party pursuing collection of a judgment through garnishment is permitted to bring before the Court appropriate motions which may charge the Garnishee with liability. Further, a Garnishee which fails to comply with the requirements of Rule 64(D) becomes subject to an Order to Show Cause for its failure to obey Orders of this Court. Further, pursuant to Rule 64(D)(j), the moving party is entitled to its costs and expenses including attorney's fees in the event such a Motion is necessary.

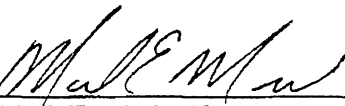
In this case, Garnishee has failed to obey the orders of this Court by failing and refusing to submit a timely answer or payment either to the Court or to Plaintiff's counsel.

CONCLUSION

Therefore, Plaintiff respectfully requests an Order of this Court to the Garnishee ordering appearance before this Court. Plaintiff further requests an Order holding the Garnishee liable for any and all sums which should have been held and remitted to Plaintiff pursuant to the Writ of Garnishment which on information and belief total \$4,360.51. Plaintiff is also entitled to its attorney's fees and costs of court incurred herein.

DATED this 24 day of May, 2006.

RICHER & OVERHOLT, P.C.

By: 
Mark E. Medcalf
Attorney for Plaintiff

ORDER

Garnishee, Lui Enterprises, is hereby ordered to appear before the Honorable Judge Medley on the 19th day of ~~July~~ 2006, at the hour of 8:45 a.m. at the Third District Court, 450 South State Street, Room W-48 and then and there show cause why the following Order should not be issued:

1. Why Garnishee, Lui Enterprises should not be liable to Plaintiff for any sums which Garnishee should have withheld and remitted to Plaintiff which on information and belief totals \$4,360.51;

2. Why an Order should not be issued against Garnishee for attorney's fees and costs of court incurred herein; and

3. Why Garnishee should not be held in contempt of court for failure to respond to prior Orders of this Court.

DATED this _____ day of May, 2006.

BY THE COURT:

Honorable Tyrone E. Medley

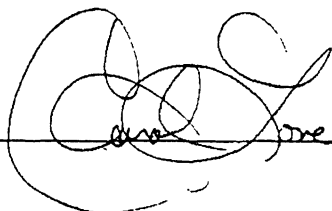
Serve:

Lui Enterprises
1465 South State #10
Salt Lake City, Utah 84115

CERTIFICATE OF MAILING

I hereby certify that a true and correct copy of the foregoing document was mailed in the United States Mail, first class, postage prepaid this 24 day of May, 2006, to the following:

Salote Vuki
1649 E. Nichole Circle
Sandy, Utah 84093



FILED
DISTRICT COURT
06 JUL -6 AM 11:47
THIRD JUDICIAL DISTRICT
SALT LAKE COUNTY, UTAH
CLERK OF COURT

LUI ENTERPRISES
1465 S. State Street #10
Salt Lake City, Utah 84115
Telephone: (801) 487-6269
Garnishee

IN THE THIRD JUDICIAL DISTRICT COURT IN AND FOR
SALT LAKE COUNTY, STATE OF UTAH

UTAH LABOR COMMISSION,
INDUSTRIAL ACCIDENTS DIVISION,

Plaintiff,

vs.

SALOTE VUKI dba VUKI S & A TAKE
OUT & CATERING,

Defendants.

LUI ENTERPRISES,

Garnishee

**OPPOSITION TO PLAINTIFF'S
MOTION FOR ORDER TO SHOW
CASE IN RE: CONTEMPT OF COURT
FOR FAILURE TO COMPLY WITH
WRITS OF GARNISHMENT,
ATTORNEY'S FEES, COSTS OF
COURT AND OTHER RELATED
ISSUES AND ORDER**

Civil No. 056909867

Judge Tyrone Medley

Garnishee, LUI ENTERPRISES, INC., hereby files its **OPPOSITION TO
PLAINTIFF'S MOTION FOR ORDER TO SHOW CASE IN RE: CONTEMPT OF
COURT FOR FAILURE TO COMPLY WITH WRITS OF GARNISHMENT,
ATTORNEY'S FEES, COSTS OF COURT AND OTHER RELATED ISSUES AND
ORDER.** Garnishee concedes that it was served with a Writ of Garnishment. However, since

Opposition to plaintiff's motion for order to show caus



VD20389181
056909867 VUKI, SALOTE

Defendant has never been on Garnishee's payroll and receives no compensation of any kind from Garnishee, Garnishee erroneously assumed it did not need to respond to the Writ of Garnishment since there were no wages or property to garnish.

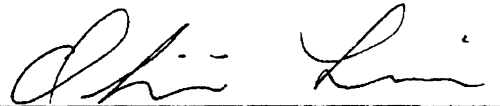
In February, 2005, Garnishee incorporated in the State of Utah. However, the incorporator and President of Lui Enterprises was not a resident of the State of Utah but intended to relocate to Utah in the near future. In the process of incorporating Garnishee became familiar with the requirements of incorporation, namely that Utah Code Ann § 16-10a-202 required an initial registered office and registered agent be listed in the article of incorporation. Furthermore, § 16-10a-501 required that the resident agent be an individual who resides in the State of Utah. The President of Lui Enterprises was not a resident of the State of Utah and therefore did not meet the necessary requirements for incorporating Lui Enterprises. However, Defendant was a resident of the State of Utah and as the mother in law of the President of Lui Enterprises agreed to be the initial resident agent of Lui Enterprises without any compensation. That is why Defendant's name appears as the initial resident agent of Lui Enterprises. Attached is a copy of the Answer to Writ of Garnishment issued by this Court which states under oath that Defendant has never been an employee of Garnishee and does not, and never has, received any compensation from Garnishee for her role as the initial Resident Agent of Lui Enterprises. The original has been filed with the Court. Since a responsive document has been filed with the

Court showing that there are no wages or property to be garnished by Lui Enterprises, Garnishee requests that the Court deny Plaintiff's Motion for Order to Show Cause as moot.

Garnishee's refusal to file any document in response to the Writ of Garnishment was not an intentional wilful act on the part of Garnishee. Garnishee's failure to file any document was a misunderstanding on Garnishee's part that nothing need be filed since Defendant did not receive any compensation from Garnishee. Plaintiff's request for attorney fees and costs should be denied.

DATED this 24 day of April, 2006.

LUI ENTERPRISES

A handwritten signature in black ink, appearing to read 'Olisi Lui', is written over a horizontal line.

Olisi Lui
President, Lui Enterprises

EXHIBIT A

Mark E. Medcalf # 5404
RICHER & OVERHOLT, P.C.
Attorneys for Plaintiff
901 West Baxter Drive
South Jordan, Utah 84095
Telephone: (801) 561-4750

IN THE THIRD DISTRICT COURT OF THE STATE OF UTAH

SALT LAKE COUNTY, SALT LAKE DEPARTMENT

Court Address: 450 South State Street, P.O. Box 1860, Salt Lake City, Utah 84111

UTAH LABOR COMMISSION, INDUSTRIAL ACCIDENTS DIVISION, Plaintiff, v. SALOTE VUKI dba YIKI S & A TAKE OUT & CATERING, Defendants. LUI ENTERPRISES, Garnishee.	GARNISHEE'S ANSWERS TO INTERROGATORIES FOR CONTINUING GARNISHMENT INITIAL PAY PERIOD Civil No. 056909867 Judge Medley
-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--------------------------------------------------------------------------------------------------------------------------------------------------------

Write your answers in the spaces provided. Attach additional sheets if necessary.

1. Are there any other Writs of Continuing Garnishment in effect?

ANSWER: Yes ☐ No ☒

2. If yes, when will the last of them expire?

ANSWER: _____

3. What is the pay period to which these answers relate:

ANSWER: Start Date _____ Defendant does not receive
a wage from Lui Enterprises nor
on payroll

End Date _____

4. Is the Writ of Continuing Garnishment in effect on the last day of this period? (The Writ is in effect for 120 days after the date of service on you or for 120 days after the date the previous Writ expired, whichever is later. A Writ of Continuing Garnishment in favor of the Office of Recovery Services or the Department of Workforce Services is effective when served on you and continues indefinitely until fully satisfied.)

ANSWER: Yes ☐ No ☐ **N/A**

5. (a) Do you pay the Defendant money on a periodic basis?

ANSWER: Yes ☐ No ☒

(b) What is the pay period?

ANSWER: ☐ Weekly; ☐ Biweekly; ☐ Semi-monthly; ☐ Monthly; ☐ Other _____

(c) What is the next pay date?

ANSWER: **N/A**

6. Calculate in the table, the amount to be withheld from the Defendant. Assume you are calculating this on the last day of the pay period for which these answers apply.

ANSWER:

(1) Gross earnings from all sources payable to the Defendant for personal services, including salary, wages, tips, commissions, bonuses, per diem, reimbursement of expenses, etc.	\$
(2) Deductions required by law.	
(a) Federal Income Tax	\$
(b) State Income Tax	\$
(c) Social Security Tax	\$
(d) Medicare Tax	\$
(e) Other amounts required by law to be deducted. (Please describe reason for deduction).	\$
(3) Total deductions. Calculate and record the sum of Lines (2)(a) through (2)(e).	\$
(4) Disposable earnings. Calculate and record Line (1) minus Line (3)	\$

(5) Calculate:	
(a) 25% of the amount in Line (4); or, if this is a judgment for child support, 50% of the amount of Line (4).	\$
(b) The difference between Line (4) and the federal minimum hourly wage (\$5.15) times 30 times the number of weeks in this pay period. <i>For example:</i> Line (4) minus (\$5.15 x 30 x 2 weeks) OR Line (4) minus \$5.15 x 30 x 4.28 weeks	\$
(6) of Line (5)(a) and Line (5)(b), record the lesser amount	\$
(7) Amount deducted for an undisputed debt owed to you by the (check one or both): <input type="checkbox"/> Plaintiff <input type="checkbox"/> Defendant	\$
(8) Total amount to be withheld. (Calculate and record Line (6) minus Line (7).)	\$

7. Do you possess or control any other property or money in which Defendant has an interest?

ANSWER: Yes ☐ No ☒

8. If yes, explain in the table below.

ANSWER:

Description of Property	Name and address of person with possession	Nature and value of defendant's interest

(Add this amount to the amount calculated in the table for Question 6. You should handle the property as directed in the Writ of Garnishment.)

9. Do you know of any other employment, income, or income-producing activities of the Defendant?

ANSWER: Yes ☐ No ☒

10. If yes, explain in the space below.

ANSWER: _____

11. Do you know about any of the Defendant's other property or other debts to Defendant?

ANSWER: Yes ☐ No ☒

12. If yes, explain in the table below.

ANSWER:

Description of Property	Name and address of person with possession	Nature and value of defendant's interest

13. I served a copy of these Answers to Interrogatories on the **Plaintiff** (or Plaintiff's attorney) by:

- ☒ First class mail
☐ Hand delivery

To: [Address] 901 W. Baxter Dr., S.J. VT 054095
On: [Date] 4/25/06

14. I served a copy of this Writ of Garnishment, these Answers to Interrogatories, Notice of Garnishment and Exemptions form, and two copies of the Reply and Request for Hearing form on the **Defendant** by:

- ☐ First class mail
☒ Hand delivery

To: [Address] 1649 E. Nichole Cir. Sandy, VT 05403
On: [Date] 4/25/06

15. I served a copy of the Writ of Garnishment, these Answers to Interrogatories,

Notice of Garnishment and Exemptions form, and two copies of the Reply and Request for hearing form upon the **following persons other than the Defendant shown by my records to have an interest in the property by:**

☐ First class mail

☐ Hand delivery

To: [Address] _____

On: [Date] _____

16. I swear or affirm that the above statements are true to the best of my information and belief.

Olisi V Lui
Printed Name

[Signature]
Signature of the Garnishee or Garnishee's Authorized Agent

Notary Clause

Olisi V Lui is personally known to me or presented satisfactory proof of identity to me. After being sworn and while under oath Olisi V Lui stated that ~~he~~ or ~~she~~ was acting voluntarily, had read and understood the preceding document, and that the contents were true. Olisi V Lui then signed the document in my presence.

Signed this 20th day of April 2006.



Patty Pasaye
Notary Public
My Commission Expires:

Mark E. Medcalf # 5404
RICHER & OVERHOLT, P.C.
Attorneys for Plaintiff
901 West Baxter Drive
South Jordan, Utah 84095
Telephone: (801) 561-4750

IN THE THIRD DISTRICT COURT OF THE STATE OF UTAH

SALT LAKE COUNTY, SALT LAKE DEPARTMENT

Court Address: 450 South State Street, P.O. Box 1860, Salt Lake City, Utah 84111

UTAH LABOR COMMISSION,
INDUSTRIAL ACCIDENTS DIVISION,

Plaintiff,

v.

SALOTE VUKI dba YIKI S & A TAKE
OUT & CATERING,

Defendants.

LUI ENTERPRISES,

Garnishee.

GARNISHEE'S ANSWERS TO
INTERROGATORIES FOR
CONTINUING GARNISHMENT--
SUBSEQUENT PAY PERIODS

Civil No. 056909867

Judge Medley

Write your answers in the spaces provided. Attach additional sheets if necessary.

1. What is the pay period to which these answers relate?

ANSWER:

Start Date:

N/A

End Date:

Defendant does not
receive a wage from
Lui Enterprises.

2. Is the Writ of Continuing Garnishment in effect on the last day of this period? (The

Writ is in effect for 120 days after the date of service on you or for 120 days after the date the

previous Writ expired, whichever is later. A Writ of Continuing Garnishment in favor of the Office of Recovery Services or the Department of Workforce Services is effective when served on you and continues indefinitely until fully satisfied.)

ANSWER: Yes ☐ No ☐

3. Calculate in the table, the amount to be withheld from the Defendant. Assume you are calculating this on the last day of the pay period for which these answers apply.

ANSWER:

(1) Gross earnings from all sources payable to the Defendant for personal services, including salary, wages, tips, commissions, bonuses, per diem, reimbursement of expenses, etc.	\$
(2) Deductions required by law.	
(a) Federal Income Tax	\$
(b) State Income Tax	\$
(c) Social Security Tax	\$
(d) Medicare Tax	\$
(e) Other amounts required by law to be deducted. (Please describe reason for deduction).	\$
(3) Total deductions. Calculate and record the sum of Lines (2)(a) through (2)(e).	\$
(4) Disposable earnings. Calculate and record Line (1) minus Line (3)	\$
(5) Calculate:	
(a) 25% of the amount in Line (4); or, if this is a judgment for child support, 50% of the amount of Line (4).	\$
(b) The difference between Line (4) and the federal minimum hourly wage (\$5.15) times 30 times the number of weeks in this pay period. For example: LINE (4) minus (\$5.15 x 30 x 2 weeks) OR LINE (4) minus \$5.15 x 30 x 4.28 weeks	\$
(6) of Line (5)(a) and Line (5)(b), record the lesser amount	\$
(7) Amount deducted for an undisputed debt owed to you by the (check one or both): <input type="checkbox"/> Plaintiff <input type="checkbox"/> Defendant	\$

(8) Total amount to be withheld. (Calculate and record Line (6) minus Line (7)).	\$
----------------------------------------------------------------------------------	----

4. I served a copy of these Answers to Interrogatories on the **Plaintiff** (or Plaintiff's attorney) by:

☒ First class mail

☐ Hand delivery

To: [Address] 901 W. Baxter Dr. ST, UT 84095

On: [Date] 4/25/06

I served a copy of this Writ of Garnishment, these Answers to Interrogatories, Notice of Garnishment and Exemptions form, and two copies of the Reply and Request for Hearing form on the **Defendant** by:

☐ First class mail

☒ Hand delivery

To: [Address] 1649 E. Nichole Cir Sandy, UT

On: [Date] 4/25/06

I served a copy of the Writ of Garnishment, these Answers to Interrogatories, Notice of Garnishment and Exemptions form, and two copies of the Reply and Request for hearing form upon the **following persons other than the Defendant shown by my records to have an interest in the property** by:

☐ First class mail

☐ Hand delivery

To: [Name]

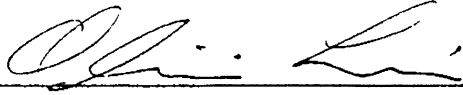
To: [Address]

On: [Date]

5. I swear or affirm that the above statements are true to the best of my information and belief.

Olisi V. Lwi

Printed Name

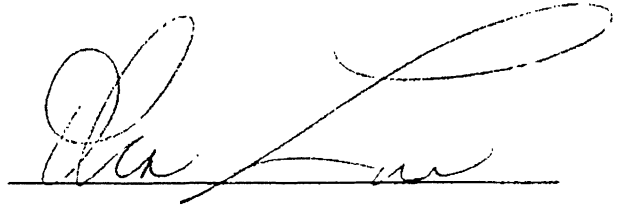
A handwritten signature in black ink, appearing to be "Ch. L.", written over a horizontal line.

Signature of the Garnishee or Garnishee's Authorized Agent

CERTIFICATE OF MAILING

I hereby certify that a true and correct copy of the foregoing **OPPOSITION TO PLAINTIFF'S MOTION FOR ORDER TO SHOW CAUSE IN RE: CONTEMPT OF COURT FOR FAILURE TO COMPLY WITH WRITS OF GARNISHMENT, ATTORNEY'S FEES, COSTS FO COURT AND OTHER RELATED ISSUES AND ORDER** was served by mailing the same, first-class, postage prepaid, this 3 day of July, 2006, to:

MARK E. MEDCALF, #5404
RICHER & OVERHOLT, P.C.
Attorney for Plaintiff
901 West Baxter Drive
South Jordan, UT 84095

A handwritten signature in cursive script, likely of Mark E. Medcalf, is written over a horizontal line. The signature is fluid and stylized, with a large initial 'M' and 'E'.

Mark E. Medcalf #5404
RICHER & OVERHOLT, P.C.
901 West Baxter Drive
South Jordan, Utah 84095
Telephone: (801) 561-4750

Attorneys for Plaintiff

IN THE THIRD JUDICIAL DISTRICT COURT OF THE STATE OF UTAH
SALT LAKE COUNTY, SALT LAKE DEPARTMENT

UTAH LABOR COMMISSION,
INDUSTRIAL ACCIDENTS
DIVISION,

Plaintiff,

v.

SALOTE VUKI dba VUKI S & A
TAKE OUT & CATERING,

Defendant,

LUI ENTERPRISES,

Garnishee/Defendant.

**MEMORANDUM IN OPPOSITION
TO GARNISHEE/DEFENDANT'S
MOTION TO SET ASIDE
JUDGMENT**

Civil No. 056909867

Judge Medley

Comes now Plaintiff, by and through its counsel of record Mark E. Medcalf of Richer & Overholt, P.C., and hereby submits this Memorandum in Opposition to the Garnishee/Defendant's Motion to Set Aside Judgment.

FACTS

1. Lui Enterprises is a Utah Corporation and its President is Olisi Lui. A copy of the Utah Department of Corporations printout evidencing these facts is attached hereto as Exhibit "A" and incorporated herein by this reference.

2. Lui Enterprises was served with a Writ of Wage Garnishment to attach the wages of his mother-in-law, Salote Vuki. The Writ was served on Lui Enterprises by service on Olisi Lui personally on February 1, 2006. A copy of the Return of Service is attached hereto as Exhibit "B".

3. The Garnishee/Defendant failed to answer the Writ of Garnishment and Plaintiff arranged for the issuance of a Garnishee Order to Show Cause on April 25, 2006. (See Court docket.) Thereafter, on April 27, 2006 Garnishee/Defendant filed a answer to the Garnishment and an Opposition to the Motion for Order to Show Cause.¹

4. On June 15, 2006 a new Order to Show Cause was issued scheduling a hearing for July 19, 2006. This Order to Show Cause was successfully served on the Garnishee/Defendant through personal service on the president Olisi Lui on June 21, 2006. A copy of the Return of Service is attached hereto as Exhibit "C" and incorporated herein by this reference.

5. The Return of Service was filed with the Court and the hearing was scheduled on the Court docket on June 26, 2006.

6. The hearing was held on July 19, 2006 as stated in the Motion for Order to Show Cause personally served on Olisi Lui and as noted on the Court docket.

¹ Plaintiff was never able to obtain service of the Order to Show Cause of April 25, 2006 on the Garnishee/Defendant. The filing of the Answer in Opposition was presumably the result of Plaintiff simultaneously mailing copies of the documents to the Garnishee and to the Defendant, his mother-in-law

ARGUMENT
**GARNISHEE/DEFENDANT HAS NOT SATISFIED THE
REQUIREMENT OF SHOWING EXCUSABLE NEGLIGENCE**

Under Rule 60(b) Utah Rules of Civil Procedure, a party is required to make a showing of reasonable justification for failure to timely respond and defend an action. Such excuse must constitute excusable neglect. The Board of Education of Granite School District v. Cox, 384 P.2d 806 (Utah 1963). In the present matter the Defendant has failed to show excusable neglect. On the contrary, his neglect, if anything, is totally inexcusable. The President of the Garnishee/Defendant, Olisi Lui, was personally served with the Writ of Garnishment which is at issue herein. This is evidenced by the Return of Service. It is also evidenced by his own pro se opposition filed with the Court where on Page 2 he admits “Garnishee erroneously assumed that it did not need to respond to the writ of garnishment”

Thereafter the Garnishee was served with an Order to Show Cause on June 21, 2006. Service was personal on the president Olisi Lui. The document clearly schedules a hearing for July 19, 2006.

In the present Memorandum in Support of Motion to Set Aside Olisi Lui argues that he asked his wife (Laura Lui, a licensed Utah attorney and attorney working for the State Attorney General’s Office and former counsel in the present action) to review the Court docket one week prior to the scheduled hearing. This review would have occurred somewhere on or about July 12, 2006. If such a review was in fact conducted, the docket would have indicated by an entry dated June 26, 2006 that there was in fact a hearing scheduled for July 19, 2006.

There was no communication between Plaintiff's counsel and the Garnishee/Defendant and as a result it cannot be argued that Plaintiff's counsel granted any extension or engaged in any course of conduct whatsoever which would lead the Garnishee/Defendant to believe that he did not need to appear at the scheduled hearing.

In The Board of Education case cited above a Defendant attempted to set aside a default judgment based upon the fact that he misunderstood the Summons served upon him and believed it to be inadequate. This seems to be the argument made by Olisi Lui in the present case. In response to this argument the Supreme Court of Utah stated as follows:

The summons is self explanatory to anyone who can read, and this excuse is so unrealistic that the trial judge was not compelled to accept it. Id. at 808.

In this case the Order to Show Cause served on Olisi Lui personally is clear and unambiguous. It commands him to appear in court on a date certain. His failure to do so is inexcusable neglect.

Further, a defendant's obligation to show some "excusable" neglect is rather significant. The Utah Supreme Court has ruled that illness alone is not a sufficient excuse to constitute excusable neglect. Warren v. Dixon Ranch Co., 260 P.2d 741 (Utah 1953). Similarly, the Supreme Court has ruled that inconvenience or press of personal or business affairs does not constitute excusable neglect. Valley Leasing v. Houghton, 661 P.2d 959 (Utah 1983). In this case the defendant's excuse does not rise to the level of illness or press of personal affairs. His only excuse is that he apparently did not read the Order to Show Cause served upon him even though his attorney/wife reviewed the docket a week prior to the scheduled hearing which act would have verified the

scheduled hearing. While the Garnishee/Defendant may be guilty of neglect, he has certainly shown no excuse.

MERITORIOUS DEFENSE IS NOT A RELEVANT ISSUE

Whether or not a defendant has a meritorious defense to an action is no longer a factor to be considered in Motions to Set Aside Judgment. Larsen v. Collina, 684 P.2d 52 (Utah 1984). Consequently, Mr. Lui's allegations that no moneys were owed on the underlying Garnishment are irrelevant. However, these are issues which the Plaintiff does not concede.

In the underlying Labor Commission action there was a co-defendant named Ana Vea who is another relative of Defendant Salote Vuki. Subsequent to entry of Judgment she was deposed and informed that "While the original business had closed, Salote Vuki was opening a new Polynesian barbeque in a strip mall north of a Mexican restaurant north of a McDonald's on the east side of State Street in the area of 1400 to 1700 South State." When that business opened I went in personally to buy lunch and found Defendant Salote Vuki working behind the counter. It was at this time I issued the Garnishment in question.

The reality of what is going on is clear. Salote Vuki has opened a new business. Because of Judgments entered against her she is using her son-in-law as a straw man between her and her creditors. While it is difficult to fault family for standing together it is not a situation in which the Plaintiff needs to accept.

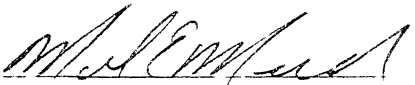
CONCLUSION

The Garnishee/Defendant had ample notice of the hearing. The Garnishee/Defendant chose not to appear despite having the assistance of his attorney/wife/former counsel, Laura Lui. The

Garnishee/Defendant chose not to appear despite an actual check of the Court docket which would have confirmed the scheduling of the hearing. The Garnishee/Defendant has not shown excusable neglect and the Garnishee Judgment should stand.

DATED this 3 day of October, 2006.

RICHER & OVERHOLT, P.C.

By: 
Mark E. Medcalf
Attorney for Plaintiff

CERTIFICATE OF MAILING

I hereby certify that on the 3 day of October, 2006 I caused a true and correct copy of the foregoing document to be placed in the U.S. mail, postage prepaid and addressed as follows:

Filia H. Uipi
313 East 900 South
Salt Lake City, Utah 84115

Salote Vuki
1649 East Nichole Circle
Sandy, Utah 84093

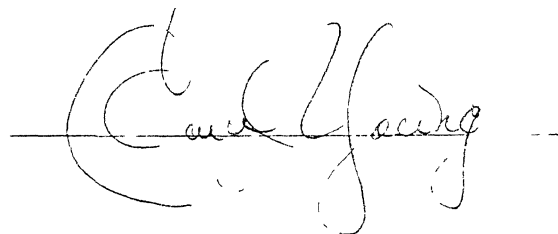


EXHIBIT “A”

[gov](#)[Online Services](#)[Agency List](#)[Business Entity Search](#)[Search Utah](#)

Utah Department of Commerce

LUI ENTERPRISES INC.

Corporation

Salt Lake

Active

LUI ENTERPRISES INC.
5842704-0142
02/23/2005

1465 S. State Street, Ste. 10
Salt Lake, UT 84115

Active
Good Standing
02/23/2005
N/A
Corporation - Domestic - Profit
02/23/2006

Salote Kalilea Vuki
1465 S. State Street, Ste. 10

Salt Lake
UT
84115

perpetual

7222
7222-Limited-Service Eating Places
50000
COMMON
0
PREFERRED

[Purchase Certificate of Existence](#)[Revoke](#)[Access Principal Information](#)

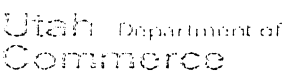
gov

State Online Services

Agency List

Business.utah.gov

Search Ut



LUI ENTERPRISES INC.	Corporation	Salt Lake	Active
Director	Olisi V Lui	1465 S. State Street Ste. 10	Salt Lake UT 841
Incorporator	Olisi V Lui	1465 S. State Street Ste. 10	Salt Lake UT 841
Officer	Olisi V Lui	1465 S. State Street Ste. 10	Salt Lake UT 841
Registered Agent	Salote Kalile'a Vuki	1465 S. State Street, Ste. 10	Salt Lake UT 841

Additional Principals on file at Division of Corporations: N

[Back to search results](#)

[Do Another Search](#)

Your experience is important to us. Please click the link below to provide feedback.

[Feedback Form](#)

EXHIBIT “B”

Mark E. Medcalf # 5404
RICHER & OVERHOLT, P.C.
Attorneys for Plaintiff
901 West Baxter Drive
South Jordan, Utah 84095
Telephone: (801) 561-4750

82819

IN THE THIRD DISTRICT COURT OF THE STATE OF UTAH

SALT LAKE COUNTY, SALT LAKE DEPARTMENT

Court Address: 450 South State Street, P.O. Box 1800, Salt Lake City, Utah 84111

UTAH LABOR COMMISSION,
INDUSTRIAL ACCIDENTS DIVISION,

Plaintiff,

v.

SALOTE VUKI dba YIKES & A TAKE
OUT & CATERING,

Defendants,

LUI ENTERPRISES,

Garnishee,

WRIT OF CONTINUING
GARNISHMENT AND
INSTRUCTIONS

Judgment for ☐ Child Support
☐ Other

Civil No. 056909867

Judge Medley

The Third Judicial Court of the State of Utah to:

Lui Enterprises

1165 South State #10

Salt Lake City, Utah 84115

1. Under Utah Code § 78-7-44, the Plaintiff should have included with this Writ of Garnishment a fee to you of \$25.00. If the fee was not included, sign here and return to the Plaintiff (or Plaintiff's attorney).

2. A judgment for \$4,360.51 amount plus after accruing interest, fees, and costs has been entered against the Defendant, and the Defendant still owes \$4,360.51 plus after accruing interest, fees, and costs. Papers filed with the Court show that you may possess or control some of the Defendant's property. (Property includes real and personal property. Property includes money, including earnings not yet paid.) The property is being garnished (seized) in order to pay the Judgment. You are the garnishee, (holder of the property) and you are required to take certain steps to deliver the property or to hold and protect it. You may be held liable if you fail to do so. You should keep for your records a copy of everything that you prepare and everything that is served on you.

3. Within 7 business days after this Writ is served on you, you must:

- a. Answer the attached Interrogatories under oath or affirmation;
- b. File with the Clerk of the Court your original Answers to Interrogatories;
- c. Serve a copy of your Answers to the Interrogatories on the Plaintiff (or Plaintiff's attorney);
- d. Serve a copy of the following papers on the Defendant and on any other person shown by your records to have an interest in the property. The papers to be served are:
 - i. One copy of this Writ of Continuing Garnishment;

- ii. One copy of your Answers to the Interrogatories;
 - iii. One copy of the Notice of Garnishment and Exemptions form; and
 - iv. Two copies of the Reply and Request for hearing form.
4. You may serve the Court, the Plaintiff (or Plaintiff's attorney), the defendant and any other person by hand delivery, or by first class mail. The address of the Clerk of the Court and Plaintiff (or Plaintiff's attorney) are at the top of the first page of this Writ.
5. There are two sets of Answers to Interrogatory forms: one for the initial pay period and one for subsequent pay periods.
- a. If the Defendant's earnings are the same for every pay period, you may copy your answers for the initial pay period and re-submit them for subsequent pay periods.
 - b. If the Defendant's earnings change from one pay period to the next, you may use the Answers to Interrogatories for Subsequent Pay Period form which is shorter than the first. If you have been served with only one copy of the Answers to Interrogatories for Subsequent Pay Periods form, you should make additional blank copies before completing it.
 - c. If you are an employer who is garnishing earnings, the Utah Courts have prepared an interactive worksheet that will calculate the amount to be withheld and prepare an answer to the Interrogatories form ready for filing. To use the worksheet, go to the Utah Court's web site at www.utahcourts.gov, follow the links to Resources/Court Forms/Garnishment Forms/Employer's Answers to Interrogatories.

6. This Writ of Continuing Garnishment is effective for 120 calendar days after the date on which it was served on you or 120 days after the date of expiration of an earlier writ, whichever is later. Within 7 business days after the close of each pay period occurring within that time, you are required to:

- a. Answer the attached Interrogatories under oath or affirmation;
- b. Serve a copy of your Answers to the Interrogatories on the Plaintiff (or Plaintiff's attorney); and
- c. File with the Clerk of the Court your original Answers to the Interrogatories.

7. What to do with the property for the initial and subsequent pay periods:

a. You must withhold from the Defendant the amount shown in your Answers to the Interrogatories. You must hold the property for 20 calendar days after you serve the defendant.

b. If you do not receive a Reply and Request for Hearing within 20 days after serving the Defendant, you must deliver the property to the Plaintiff (or Plaintiff's attorney). You are then relieved from any liability unless your answers are incorrect. **DO NOT SEND THE MONEY TO THE COURT.**

c. If you do receive a Reply and Request for Hearing, you must hold the property until you receive further orders from the Court directing you how to proceed.

8. If you fail to take these steps, the Court may hold you liable for the value of the property you should have withheld.

9. You may deliver to the Defendant in the normal course any property greater than you are required to withhold.

10. You may be served with more than one Writ of Continuing Garnishment for the same Defendant, but only one Writ of Continuing Garnishment may be in effect at one time. You must satisfy the Writs in the order in which they are served. When an earlier Writ of Continuing Garnishment expires or is satisfied, you must then satisfy the next Writ. However, a Writ of Continuing Garnishment in favor of the Office of Recovery Services or the Department of Workforce Services takes precedence over other writs and must be satisfied first. Also, a Writ of Continuing Garnishment in favor of the Office of Recovery Services or the Department of Workforce Services continues indefinitely until fully satisfied, placing earlier writs on hold. These instructions do not apply to writs or orders entered by courts of other states or governmental agencies.

DATED this 31 day of January, 2006.

CLERK OF THE COURT

By: 
Deputy Clerk

I, ORSON MADSEN

being first duly sworn on oath and say: I am a duly appointed Deputy Constable, SALT LAKE County, State of UT, a citizen of the United States over the age of 21 years at the time of service herein, and not a part of or interested in the within action.

I received the within and hereto annexed,

WRIT OF GARNISHMENT
(CONTINUING)
& INSTRUCTIONS
--

on January 31, 2006, and served the same upon
LUI ENTERPRISES

a within named Garnishee by personally delivering said article(s) and leaving with

OLISI LUI (PRESIDENT)

a duly authorized employee of said Garnishee at
1465 S STATE ST. #10, SALT LAKE CITY

I further certify that at the time of service of the said article(s), I endorsed the date and place of service and added my name and official title thereto. I also left the ~~\$10.00~~ Garnishee Fee with the person served.

on February 01, 2006


Deputy

SL 302

ROBERT J. REITZ, CONSTABLE, SALT LAKE County
7026 SOUTH COMMERCE PARK DR. SUITE 1-B, MIDVALE, UT 84047, 801-255-5468

MILEAGE CHARGE:	5.00
SERVICE CHARGES:	15.00
TOTAL CHARGES:	\$21.00

NOTES

EXHIBIT “C ”

Rutz

✓
Mark E. Medcalf # 5404
RICHER & OVERHOLT, P.C.
901 West Baxter Drive
South Jordan, Utah 84095
Telephone: (801) 561-4750

Attorneys for Plaintiff

397611

2/10/05
FILED
CLERK
JAN 12 2005
CLERK
SALT LAKE COUNTY, UTAH
DEPUTY CLERK

IN THE THIRD DISTRICT COURT OF THE STATE OF UTAH

SALT LAKE COUNTY, SALT LAKE DEPARTMENT

UTAH LABOR COMMISSION,
INDUSTRIAL ACCIDENTS
DIVISION,,

Plaintiff,

v.

SALOTE VUKI dba VUKI S & A
TAKE OUT & CATERING,

Defendants.

LUI ENTERPRISES,

Garnishee.

1965 S. State # 10

MOTION FOR ORDER TO SHOW
CAUSE IN RE: CONTEMPT OF
COURT FOR FAILURE TO
COMPLY WITH WRITS OF
GARNISHMENT, ATTORNEY'S
FEES, COSTS OF COURT AND
OTHER RELATED ISSUES AND
ORDER

Civil No. 056909867

Judge Medley

COMES NOW, the Utah Labor Commission, by and through its counsel of record, Mark E. Medcalf of Richer & Overholt, P.C., and hereby moves this Court pursuant to Rule 64(D), Utah Rules of Civil Procedure, for an Order directing the Garnishee, Lui Enterprises, to appear before this Court and then and there show the Court why the Garnishee should not be held in contempt of Court for failure to comply with the prior Orders of this Court and why Plaintiff should not be awarded

judgment against said individual for the sums which Garnishee should have paid over to Plaintiff. which our information and belief is the sum of \$4,360.51, plus attorney's fees and costs of court. In support of this Motion, Plaintiff shows the Court as follows:

FACTS

1. Judgment was entered against Defendant Salote Vuki dba Vuki S & A Take Out & Catering, by the filing of an Abstract of Award of the Utah Labor Commission with this Court on April 27, 2005. The current outstanding amount of the judgment is \$4,360.51. (See Court file.)
2. After entry of this judgment, this Court issued a Writ of Garnishment to Garnishee Lui Enterprises, which required Garnishee to withhold any and all monies owed to said Defendant and to submit an answer to the Writ of Garnishment within five days of the date of service..
3. On February 1, 2006, a constable served the Writ of Garnishment on Garnishee. Despite service of this Writ of Garnishment, Garnishee has failed and refused to submit an Answer to this Writ of Garnishment either to the Court or to the Plaintiff.

ARGUMENT

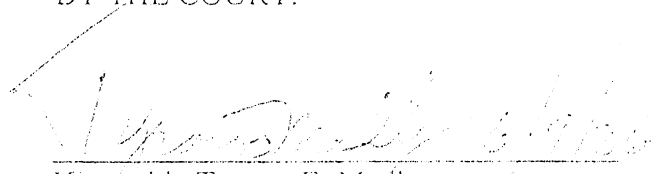
Pursuant to Rule 64(D)(i) and (j), a party pursuing collection of a judgment through garnishment is permitted to bring before the Court appropriate motions which may charge the Garnishee with liability. Further, a Garnishee which fails to comply with the requirements of Rule 64(D) becomes subject to an Order to Show Cause for its failure to obey Orders of this Court. Further, pursuant to Rule 64(D)(j), the moving party is entitled to its costs and expenses including attorney's fees in the event such a Motion is necessary.

2. Why an Order should not be issued against Garnishee for attorney's fees and costs of court incurred herein; and

3. Why Garnishee should not be held in contempt of court for failure to respond to prior Orders of this Court.

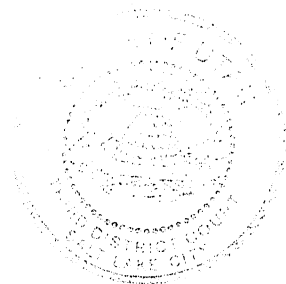
DATED this _____ day of May, 2006.

BY THE COURT:


Honorable Tyrone E. Medley

Serve:

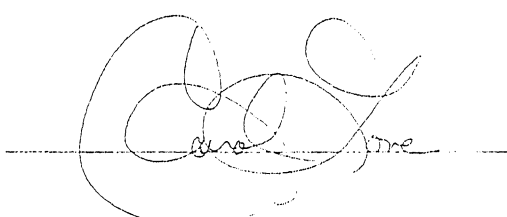
Lui Enterprises
1465 South State #10
Salt Lake City, Utah 84115



CERTIFICATE OF MAILING

I hereby certify that a true and correct copy of the foregoing document was mailed in the United States Mail, first class, postage prepaid this 24 day of May, 2006, to the following:

Salote Vuki
1649 E. Nichole Circle
Sandy, Utah 84093



CERTIFICATE OF MAILING

I hereby certify that a true and correct copy of the foregoing

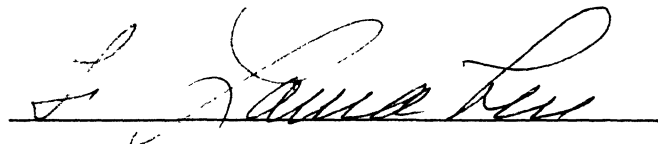
ADDENDUM OF APPELLANT LUI ENTERPRISES was served by mailing the same, first class postage prepaid, this 30th day of October, 2007, to the following:

MARK E. MEDCALF #5404
RICHER & OVERHOLT, P.C.
901 West Baxter Drive
South Jordan, Utah 84095

UTAH LABOR COMMISSION, INDUSTRIAL ACCIDENTS DIVISON
JOYCE SEWELL, Director
160 E.300 South
3rd Floor
Salt Lake City, Utah 84111

UTAH LABOR COMMISSION,
SHERRIE M. HAYASHI, LABOR COMMISSIONER
160 E.300 South
3rd Floor
Salt Lake City, Utah 84111

DAVID GEARY
Utah Attorney General
160 East 300 South
6th Floor
Salt Lake City, Utah 84111

A handwritten signature in black ink, appearing to read "David Geary", is written over a horizontal line.

I. ORSON MADSEN

being first duly sworn on oath and say: I am a duly appointed Deputy Constable, SALT LAKE County, State of UT, a citizen of the United States over the age of 21 years at the time of service herein, and not a part of or interested in the within action.

I received the within and hereto annexed.

MOTION FOR ORDER TO SHOW CAUSE
IN RE: CONTEMPT
FOR FAILURE TO COMPLY

--

on June 15, 2006, and served the same upon
LUI ENTERPRISES

a within named Witness in said article(s) by serving a true copy of said article(s) for the witness with

OLISI LUI (PRESIDENT)

a person of suitable age and discretion there residing at

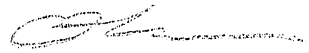
1465 S STATE ST. #10, SALT LAKE CITY

his/her usual place of BUSINESS,

on June 21, 2006

I further certify that at the time of service of the said article(s), I endorsed the date and place of service and added my name and official title thereto.

on June 21, 2006



Deputy

SL 802

ROBERT J. REITZ, CONSTABLE, SALT LAKE County
7026 SOUTH COMMERCE PARK DR. SUITE 1-B, MIDVALE, UT 84047, 801-255-5468

MILEAGE CHARGE:	6.00
SERVICE CHARGES:	15.00
TOTAL CHARGES:	\$21.00

NOTES