

\_\_\_\_\_ )  
 \_\_\_\_\_ )  
 Plaintiff/Judgment Creditor, )  
 v. ) Case No. \_\_\_\_\_ )  
 \_\_\_\_\_ )  
 \_\_\_\_\_ )  
 \_\_\_\_\_ )  
 \_\_\_\_\_ )  
 \_\_\_\_\_ )  
 \_\_\_\_\_ )  
 Defendants/Judgment Debtors. )

**CITATION TO DISCOVER ASSETS**

To: \_\_\_\_\_

**YOU ARE COMMANDED to appear before Judge \_\_\_\_\_ or any judge sitting in his stead in \_\_\_\_\_, of the \_\_\_\_\_ on \_\_\_\_\_, \_\_\_\_\_ at \_\_\_\_\_ a.m., to be examined under oath to discover assets or income not exempt from enforcement of a judgment.**

The initial hearing on the citation **will not be conducted in person** in \_\_\_\_\_ in the \_\_\_\_\_ on the date and time stated. Instead, the matter will be handled remotely, through a video conference service. The non-moving party or other respondent **shall not physically appear** in \_\_\_\_\_ on the date and time stated. This is to protect your safety, and the safety of others.

Use the following log-in information for the Zoom conference:

(Zoom) Meeting ID: \_\_\_\_\_  
 (Zoom) Password: \_\_\_\_\_

The Court’s contact information is as follows:

Email address for \_\_\_\_\_

Calendar 5 Court Personnel:  
 (Court Coordinator)

\_\_\_\_\_  
 (Clerk)

**A judgment in favor of \_\_\_\_\_ (“Judgment Creditor”) and against each of defendants**

\_\_\_\_\_ was entered on September 29, 2023, in the amount of \$32,747,000.00 plus pre-judgment interest. On \_\_\_\_\_ an amended judgment order was entered quantifying the pre-judgment interest award at \$2,355,304.00. The judgment orders are attached hereto as **GROUP EXHIBIT A**. There is now due the sum of \$32,747,000.00 plus pre-judgment interest of \$2,355,304.00 along with post-judgment interest accruing at the rate of 9% *per annum* from the date of the Judgment, and costs of this proceeding (Judgment Balance). Further sums may become due as costs and interest accrue.

**YOU ARE COMMANDED to produce to Judgment Creditor's undersigned counsel all documents listed on the ATTACHED CITATION RIDER, and all books, papers or records in your possession or control which may contain information concerning the property or income of, or indebtedness due the Judgment Debtors.**

**YOU ARE PROHIBITED from making or allowing any transfer or other disposition of, or interfering with, any property not exempt from execution or garnishment belonging to the Judgment Debtors or to which the Judgment Debtors may be entitled or which may be acquired by or become due to the Judgment Debtors and from paying over or otherwise disposing of any money not so exempt, which is due or becomes due to the Judgment Debtors, until further order of court or termination of the proceedings.**

**WARNING: YOUR FAILURE TO APPEAR IN COURT AS HEREIN DIRECTED MAY CAUSE YOU TO BE ARRESTED AND BROUGHT BEFORE THE COURT TO ANSWER TO A CHARGE OF CONTEMPT OF COURT, WHICH MAY BE PUNISHABLE BY IMPRISONMENT IN THE COUNTY JAIL.**

**CERTIFICATE OF ATTORNEY (OR NON-ATTORNEY)**

NOTE: THIS CITATION MUST BE ACCOMPANIED AT THE TIME OF SERVICE BY EITHER A COPY OF THE UNDERLYING MEMORANDUM OF JUDGMENT OR A CERTIFICATION BY EITHER THE CLERK THAT ENTERED THE JUDGMENT OR THE ATTORNEY FOR THE JUDGMENT CREDITOR SETTING FORTH THE FOLLOWING:

In the [REDACTED], judgment was entered in favor of [REDACTED] and against each of defendants [REDACTED]

[REDACTED] in the amount of \$32,747,000.00 plus pre-judgment interest. On [REDACTED], an amended judgment order was entered quantifying the pre-judgment interest award at \$2,355,304.00. The judgment orders are attached hereto as GROUP EXHIBIT A. The balance of \$32,747,000.00 remains unsatisfied plus pre-judgment interest of \$2,355,304.00 along with post-judgment interest accruing at the rate of 9% *per annum* from the date of the Judgment, and costs of this proceeding. Further sums may become due as costs and interest accrue.

I, the undersigned certify to the Court, under penalties as provided by law pursuant to [REDACTED] that all information stated herein is true.

/s/ [REDACTED]  
\_\_\_\_\_  
(Signature of Attorney)

\_\_\_\_\_ on oath states:

I am over 18 years of age and not a party to this case. I served the Citation to Discover Assets as follows:

On \_\_\_\_\_, 2023, by leaving a copy with him/her personally on \_\_\_\_\_, 2023 at the hour of \_\_\_\_\_ m., at \_\_\_\_\_.

OR

On \_\_\_\_\_, 2023, at his/her usual place of abode with \_\_\_\_\_ a person of his/her family of the age of 13 or upwards informing that person of the contents of the Citation to Discover Assets, and also by sending a true and correct copy on \_\_\_\_\_, 2023, by prepaid Registered Mail, addressed to him/her; Return Receipt Requested, delivery limited to addressee only. The registry receipt signed by addressee on \_\_\_\_\_, 2023, is attached.

\_\_\_\_\_  
Under penalties as provided by law pursuant to \_\_\_\_\_ the above signed certifies that the statements set forth herein are true and correct.

\*\*If service is made by sheriff, return may be made by certificate rather than by sworn affidavit.

## **RIDER TO CITATION TO DISCOVER ASSETS DIRECTED TO**

Pursuant to [REDACTED]

[REDACTED] is hereby requested to produce the following documents to [REDACTED]

### **DEFINITIONS AND INSTRUCTIONS**

#### **Definitions**

1. “You,” “your” and “yours” refers to citation respondent [REDACTED]

[REDACTED] and any person and/or entity acting, or purporting to act, on their behalf.

2. “*Judgment Creditor*” means the judgment creditor, [REDACTED], and any person and/or entity acting, or purporting to act, on his behalf.

3. “*Payment*” means the transfer of value by any means, including, without limitation, by check, money order, wire transfer or otherwise.

4. “*Financial books and records*” means, without limitation, any compilations of data *relating to* income and expenses, assets and liabilities, profits and losses and transactional data, such as ledgers and/or checkbook registers. This definition includes income statements, balance sheets and P/L reports, as well as computer bookkeeping and accounting records.

5. “*Privately-held companies*” means any organizational structure intended for business, and includes, without limitation, corporations, limited liability companies, partnerships, joint ventures, business trusts, unincorporated associations and sole proprietorships.

6. “*Document*” means any printed, typewritten, handwritten, machine readable, or otherwise recorded matter of any character, including, but not limited to, letters, memoranda, computer records, e-mails, computer data bases, computer printouts, computer cards, computer disks, computer hard drives, computer CD-ROM disks, charges, pleadings, telegrams, notes, catalogues, brochures, advertisements, diaries, reports, calendars, interoffice communications, statements, announcements, printouts, drawings, graphs, charts, photographs, tape recordings, phono records, disks, hard drives or data compilations or any other items designated in Supreme Court Rule 201 as included in the definition of “document,” and all non-identical copies of the document by whatever means made.

7. “*Communication*” includes all discussions, conversations, interviews, negotiations, cablegrams, mailgrams, telegrams, telexes, cables, telecopies, e-mails, and/or other forms of written or verbal intercourse, however transmitted, including reports, notes, memoranda, lists, agenda, and other documents and records of communications, and when used shall require a statement of the name of the individual who made the communication, the person(s) to whom he made it, the date it was made and the form in which it was made.

8. “*Relating to,*” “*relates to*” and/or “*related to*” mean the following: containing, comprising, constituting, stating, setting forth, recording, contradicting, referring to, describing, discussing, reflecting, interpreting, identifying, concerning, or in any way pertaining to, or logically or factually connected to, in whole or in part, that matter, *document, communication, person or subject.*

## Instructions

1. These requests are continuing in nature, and *you* must provide such additional information and *documents* as *you*, *your* attorney, or anyone acting on *your* behalf or in concert with *you* may have or may obtain between the time *your* answers and/or responses are first served and the time the citation to discover assets is discharged. In answer to these requests, furnish all information available to *you* or *your* attorney, including, without limitation, information in the possession of any attorneys, agents, investigators, representatives, or anyone acting in cooperation with *you*.

2. If *you* do not have *documents* responsive to a particular request in *your* possession or control, *you* must furnish a properly signed affidavit attesting under oath to that fact, and producing whatever other responsive *documents* which are in *your* possession or control.

3. Whenever possible, information customarily stored in magnetic and/or electronic media format (i.e. e-mails, images, computer spreadsheets, etc.) should be produced in that format, either on a CD-ROM or similar data storage device, or attached to an e-mail transmitted to *Judgment Creditor's* counsel at [REDACTED]. In the alternative, *Judgment Creditor's* counsel uses a discovery management system called "NextPoint," which allows the uploading and storage of large volumes of electronic documents; if *you* would prefer to submit data through our NextPoint system, please send an e-mail to [REDACTED] at [REDACTED] and request an upload link to the NextPoint system. Mr. [REDACTED] can also assist *you* with any technical issues.

4. If *you* withhold any *document* on the basis of privilege, *you* must furnish a privilege log with respect to each such withheld *document* identifying the privilege *you* assert; the

holder of the privilege, the type of information being withheld, and all other relevant information required by [REDACTED]

5. The relevant time period for all requests shall be from January 1, 2019, through the date of response.

### **DOCUMENT REQUESTS**

1. Complete, unredacted copies of all Federal and state income tax returns filed by *you* and/or bearing *your* federal ID number. Include all schedules, statements and worksheets.

2. Complete, unredacted copies of all Federal and state income tax returns signed by *you*. Include all schedules, statements and worksheets.

3. Complete, unredacted copies of all *financial books and records* maintained by *you* or on *your* behalf. If *you* use a computer bookkeeping program such as QuickBooks or its equivalent to maintain *financial books and records*, produce a complete, unredacted copy of all data comprising *your financial books and records* in their native format, along with a description of the program that *you* use and the version.

4. Complete, unredacted copies of all annual statements *relating to your* business.

5. Complete, unredacted copies of all periodic statements other than annual statements *relating to your* business.

6. Complete, unredacted copies of all contracts to which *you* are a party. Include all contracts between *you* and all insurance companies and other third-party payors of healthcare expenses.

7. Complete, unredacted copies of all invoices issued by *you* to any person or entity. If this request would require disclosure of confidential information subject to HIPAA or other

privacy laws or regulations, please redact the patient names and identifying information to avoid a violation of HIPAA or other privacy laws or regulations.

8. All *documents and communications relating to* bank statements for all accounts in which *you* have held any interest whatsoever (either directly or as a beneficiary). Include all *documents and communications relating to* each and every *payment* made from each such account.

9. All statements for bank accounts on which *you* have been an authorized signatory, including all accounts in which *you* have acted as a fiduciary (i.e., trustee, manager, custodian, guardian, officer, member, etc.). Include all *documents and communications relating to* each and every *payment* made from each such account.

10. All bank statements for any trust accounts in which *you* have been a beneficiary. Include all *documents and communications relating to* each and every *payment* made from each such account.

11. All *documents and communications relating to* each and every *payment* of at least \$500 made by *you*.

12. All *documents and communications relating to* each and every position statement for all accounts that have held securities in *your* name. Include all *communications and documents relating to* each and every *payment* made from each such account.

13. All *documents and communications relating to* each and every position statement for all accounts that have held securities in which *you* held any interest whatsoever (either directly or as a beneficiary). Include all *documents and communications relating to* each and every *payment* made from each such account.



14. All *documents and communications relating to* each and every position statement for any accounts that have held securities on which *you* have been an authorized signatory.

Include all *documents and communications relating to* each and every *payment* made from each such account.

15. All *documents and communications relating to* all deeds and/or other instruments bearing *your* name that have transferred title to real estate (include property held by *you* as a trustee, custodian, guardian and/or other fiduciary capacity).

16. All *documents and communications relating to* all deeds and/or other instruments transferring title to real estate that bear the name of any entity in which *you* have an ownership (including beneficial ownership) interest.

17. All *documents and communications relating to* all stock certificates, bonds, or other securities (either marketable or otherwise) bearing *your* name.

18. All *documents and communications relating to* all stock certificates, bonds, or other securities (either marketable or otherwise) owned by any entity in which *you* have or had an ownership (including beneficial ownership) interest.

19. All *documents and communications relating to* all certificates of deposit bearing *your* name.

20. All *documents and communications relating to* all certificates of deposit bearing the name of any entity in which *you* have or had an ownership (including beneficial ownership) interest.

21. All *documents and communications relating to* certificates of automobile title bearing *your* name.

22. All *documents and communications relating to* certificates of automobile title bearing the name of any entity in which *you* have an ownership (including beneficial ownership) interest.

23. All *documents and communications relating to* certificates of title bearing *your* name for vehicles other than automobiles (this request includes, without limitation, aircraft, boats and/or other vehicles).

24. All *documents and communications relating to* certificates of title bearing the name of any entity in which *you* have an ownership (including beneficial ownership) interest for vehicles other than automobiles (this request includes aircraft, boats and/or other vehicles).

25. All *documents and communications relating to* all policies of insurance covering *your* business and/or assets. Include all schedules and riders.

26. All *documents and communications relating to* all policies of insurance covering any property owned by *you* (including beneficial ownership). Include all schedules and riders.

27. All *documents and communications relating to* all policies of insurance covering any property owned by any *privately-held companies* in which *you* have an ownership (including beneficial ownership) interest. Include all schedules and riders.

28. All *documents and communications relating to* all policies of insurance naming *you* as a beneficiary. Include all schedules and riders.

29. All *documents and communications relating to* all financial statements and/or loan applications prepared by *you* and/or on *your* behalf.

30. All *documents and communications relating to* all loans made to *you*. Include, without limitation, all promissory notes, bonds, debentures and instruments of debt of any kind or nature.

31. All *documents and communications relating to* all guaranties and/or surety agreements by *you*. Include, without limitation, all guaranties and suretyship agreements.
32. All *documents and communications relating to* security for all loans made to *you*. Include, without limitation, all mortgages, chattel mortgages, security agreements and pledge agreements.
33. All *documents and communications relating to* all loans made by *you*.
34. All *documents and communications relating to* payment, or non-payment, of *your* creditors.
35. All *documents and communications* identifying the names of other creditors that hold claims against *you*.
36. All *documents and communications* between *you* and *your* creditors.
37. All *documents and communications relating to* *your* creditors. Include all billing statements from *your* creditors.
38. All *documents and communications relating to* payments made to *your* creditors.
39. All *communications* between *you* and any tax preparer *relating to* tax returns where *you* were the taxpayer.
40. All *communications* between *you* and any tax preparer *relating to* tax returns signed by *you* where *you* were not the taxpayer.
41. All *communications* between *you* and the Internal Revenue Service.
42. All *communications* between *you* and the Illinois Department of Revenue.
43. All *communications* between *you* and any governmental taxing body other than the Internal Revenue Service or the Illinois Department of Revenue.

44. All *documents and communications relating to privately-held companies* in which *you* have and/or had any interest.

- a. For limited liability companies, include all operating agreements (with all riders and amendments), articles of organization, tax returns, and all *financial books and records* maintained on its behalf.
- b. For partnerships, include all partnership agreements (with all riders and amendments), tax returns, and all *financial books and records* maintained on its behalf.
- c. For joint ventures, include all joint venture agreements (with all riders and amendments), tax returns, and all *financial books and records* maintained on its behalf.
- d. For corporations, include all articles of incorporation, by-laws, shareholder agreements (with all riders and amendments), tax returns, and all *financial books and records* maintained on its behalf.
- e. For all other types of *privately-held companies*, include all tax returns, and all *financial books and records* maintained on its behalf.

45. All *documents relating to trusts* (including land trusts) in which *you* have been named as a beneficiary, trustee, grantor and/or settlor. Include trust agreements (with all riders and amendments), tax returns, and all *financial books and records* maintained on its behalf.

46. All *documents relating to intellectual property you* have held, including, without limitation, all patents, trademarks and copyrights.

47. All *documents relating to licenses you* have held. Include copies of any licensing applications.

48. All *communications and/or documents relating to applications for licenses held by companies in which you* have owned an interest (including an indirect interest). Include copies of any licensing applications.

49. All appraisals *relating to any real estate owned in which you* have an ownership (including beneficial ownership) interest.

50. All valuations *relating to any personal property owned in which you* have an ownership (including beneficial ownership) interest.

51. All *communications* and/or *documents relating to* applications for licenses held by *privately-held companies* in which *you* owned an interest (including an indirect interest) and their subsidiaries and/or affiliates.

## INCOME AND ASSET FORM

**To Judgment Debtor:** Please complete this form and bring it with you to the hearing referenced in the enclosed citation notice. You should also bring to the hearing any documents you have to support the information you provide in this form, such as pay stubs and account statements. The information you provide will help the court determine whether you have any property or income that can be used to satisfy the judgment entered against you in this matter. The information you provide must be accurate to the best of your knowledge.

If you fail to appear at this hearing, you could be held in contempt of court and possibly arrested. In answer to the citation and supplemental proceedings served upon the judgment debtor, he or she answers as follows:

Name: \_\_\_\_\_

Home Phone Number: \_\_\_\_\_

Home Address: \_\_\_\_\_

Date of Birth: \_\_\_\_\_

Marital Status: \_\_\_\_\_

I have \_\_\_\_\_ dependents.

Do you have a job? \_\_\_\_\_ YES \_\_\_\_\_ NO

Company's name I work for: \_\_\_\_\_

Company's address: \_\_\_\_\_

Job:

I earn \$ \_\_\_\_\_ per \_\_\_\_\_

If self employed, list here your business name and address: \_\_\_\_\_

\_\_\_\_\_

Income from self employment is \$ \_\_\_\_\_ per year

I have the following benefits with my employer:

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I do not have a job, but I support myself through:

Government Assistance \$ \_\_\_\_\_ per month  
Unemployment \$ \_\_\_\_\_ per month

Social Security \$ \_\_\_\_\_ per month  
SSI \$ \_\_\_\_\_ per month

Pension \$ \_\_\_\_\_ per month

Other \$ \_\_\_\_\_ per month

Real Estate:

Do you own any real estate? \_\_\_\_\_ YES \_\_\_\_\_ NO

I own real estate at \_\_\_\_\_

with names of other owners \_\_\_\_\_

Additional real estate I own: \_\_\_\_\_

I have a beneficial interest in a land trust. The name and address of the trustee is: \_\_\_\_\_

The beneficial interest is listed in my name and \_\_\_\_\_

There is a mortgage on my real estate. State the mortgage company's name and address for each parcel of real estate owned:

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An assignment of beneficial interest in the land trust was signed to secure a loan from \_\_\_\_\_

I have the following accounts:

Checking account at \_\_\_\_\_  
account balance \$ \_\_\_\_\_

Savings account at \_\_\_\_\_  
account balance \$ \_\_\_\_\_

Money market or certificate of deposit at \_\_\_\_\_

Safe deposit box at \_\_\_\_\_

Other accounts (please identify): \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

I own:

A vehicle (state year, make, model, and VIN): \_\_\_\_\_

\_\_\_\_\_

Jewelry (please specify): \_\_\_\_\_

\_\_\_\_\_

Other property described as:

Stocks/Bonds \_\_\_\_\_

Personal computer \_\_\_\_\_

DVD player \_\_\_\_\_

Television \_\_\_\_\_

Stove \_\_\_\_\_

Microwave \_\_\_\_\_

Work tools \_\_\_\_\_

Business equipment \_\_\_\_\_

Farm equipment \_\_\_\_\_

Other property (please specify): \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Signature: