

CAJP Conference



SERVING CALIFORNIA
JUSTICE

JUDGMENT COLLECTION TECHNIQUES

Presented by the CAJP Continuing Education Committee

Saturday-Sunday
October 9-10, 2010
San Jose, California

Register online at www.cajp.org
Saturday 9:00 am - 5:30 pm
Registration 8:00 am - 9:00 am
(Breakfast & Lunch included)
Sunday 9:30 am - 4:00 pm
(Breakfast & Lunch included)

Complimentary airport shuttle
service Fri/Sun evenings

**California Association of
Judgment Professionals**
601 Van Ness Ave, Suite E3
San Francisco, CA 94102
Voice/Fax: (888) 311-2257
or (888) 311-CAJP
info@cajp.org • www.cajp.org

To register and book accom-
modations at the discounted
CAJP rate, visit www.cajp.org



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Click on 'reserve a room' (top right)
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Enter CAJP in the 'group code' box.
Complete the Registration.

Questions?

E-Mail: CE@cajp.org

DENYING THE DEBTOR'S DISCHARGE IN BANKRUPTCY



Hon. Ronald Sargis is a Judge of the U.S. Bankruptcy Court for the Eastern District of California. Hon. Sargis has practiced as a partner in the Sacramento law firm Hefner Stark & Marois, LLP where he practiced in the areas of bankruptcy, and commercial creditor's rights. He has served as General Counsel for the California Association of Collectors and was made an honorary member of the CAJP in 2002. Ron Sargis received his B.A. degree from Stanford University and his J.D. degree, with distinction, from the University of the Pacific. Hon. Sargis was a Board Member for the ACA Member Attorney Program from 1996-1999 and Chairman of the Board in 1999. He is a guest lecturer regularly for the American Collectors Association and the California Association of Collectors on Federal and State licensing and regulatory issues, debt enforcement, business practices and state legislation affecting the collection industry. ■

TOOLS AND TECHNIQUES FOR CONDUCTING ONLINE ASSET AND LOCATION INVESTIGATIONS



Cynthia Hetherington has more than 15 years of experience in research, investigations and corporate intelligence. Cynthia authored *Business Background Investigations* (2007) and *The Manual to Online Public Records* (2008), published by Facts on Demand Press. She is the publisher of Data2know.com: Internet & Online Intelligence Newsletter and has co-authored articles on steganography, computer forensics, Internet investigations and other security-focused monographs. She is also recognized for providing corporate security officials, military intelligence units, and federal, state and local agencies with training on online intelligence practices. In addition, Cynthia is an adjunct faculty member at the Federal Law Enforcement Training Center, where she teaches a program on cyber counterterrorism investigations. Cynthia graduated from Montclair State College with a Bachelor's in Arts and Philosophy. She then achieved a Masters in Library Science from Rutgers University and a Masters in



The Hayes Mansion Hotel
in San Jose, CA - site of
this year's conference

Management Science of Information Systems from the New Jersey Institute of Technology. ■

"ACCORDING TO RICHARD" WORDS OF WISDOM

(In memoriam October 3, 1943 –
April 4, 2008)



Richard L. Enkelis wrote and lectured extensively on enforcement of judgment issues. A prolific speaker throughout his colorful life, CAJP is honored to present words of wisdom from its beloved honorary member. This presentation will feature video highlights from Mr. Enkelis' many speaking engagements. Mr. Enkelis' works include "Collection Law in California" Lorman Education Services, "Debt Collection Practice in California/Second Edition", CEB lead co-author, multi-volume collection treatise, and "Enforcing Civil Money Judgments", CEB Action Guide. He was a consultant for the Judicial Council of California on creation of the forms used in enforcement of judgments and to the California State Sheriff's Association, where he taught at the Advanced Levying Officer Training Course. Mr. Enkelis served on the executive committee of the Provisional and Post-Judgment Remedies Section of the Los Angeles County Bar Association. He was the first honorary member of the California Association of Judgment Professionals and served as the advisor to its Board of Directors until he passed away in 2008. ■

WILLS, TRUSTS AND JUDGMENT ENFORCEMENT



Raymond R. Goldstein, Esq., is the managing partner of Center for Enforcement of Family Support. The Center, established in 1979, is a private law firm that dedicates its practice to the collection of past-due child and spousal support and related marital obligations. In addition to utilizing common enforcement procedures such as bank levies and wage garnishments against mainstream debtors, the Center prides itself on pursuing debtors with creative lawyering and dogged persistence, using sophisticated remedies such as piercing corporate veils, stock turnover orders, set-asides of fraudulent transfers and extraordinary executions on such property as aircraft, boats and country club memberships. Mr. Goldstein is the author of many enforcement articles and actively participates in legislative reform. He has lectured to Bar Associations across the state as well as repeat lectures to the American Academy of Matrimonial Lawyers. Mr. Goldstein has also guest lectured at Pepperdine University, University of West Los Angeles (his 1993 Alma Mater), Protect your Child Day, dozens of Bar Associations across California and has served as a media expert for print, radio and television on the topic of support enforcement. He is a standing panelist with Lorman Education, presenting both introductory and advanced seminars on Judgment Enforcement. Mr. Goldstein proudly sits as the Chair of Outreach
(continued on reverse)



(Goldstein continued)

for the Los Angeles County Bar Association's Family Law Executive Committee. He is also the chair of the Los Angeles Regional Committee, a sub-Committee of the Family Law Executive Committee for the State Bar of California. Mr. Goldstein is a proud Honorary member of the California Association of Judgment Professionals. Mr. Goldstein is the continuing update author of CEB's, *Enforcing Civil Money Judgments*, a variety of chapters in CEB's treatise, *Debt Collection Practice in California*, and a lead author for CEB's recent publication, *Child and Spousal Support, Establishing, Modifying and Enforcing*. ■

CONDUCTING EFFECTIVE DEBTOR EXAMINATIONS – A COMPREHENSIVE, INTER-ACTIVE JOURNEY THROUGH A MOCK EXAMINATION

The Art of the Debtor Examination
When used effectively, post-judgment examinations of debtors and third parties can be one of the most powerful tools in your collection arsenal. But crafty debtors and procedural challenges can create unforeseen hurdles to successful enforcement. Veterans **Travis Farnsworth** and **Patrick Bulmer**, with help from some special guests, explore practice tips to maximize effectiveness in this part-lecture, part-live demonstration program. ■

UNDERSTANDING SERVICE OF PROCESS IN THE POST JUDGMENT WORLD

Peter With will provide a historical overview of service of process in California including how and why to use a registered process server in lieu of the sheriff. Quashing proofs of service, levies, garnishments and proper instructions are just a few of the topics that will be covered by this presentation. Peter With is a process server with almost 30 years experience. In 2000 he expanded into judgment recovery and joined the CAJP. He was president of the CAJP in 2003 and Education Chair from 2005 - 2008. ■

CAPTURING STREAMS OF INCOME USING ASSIGNMENT ORDERS



Brock Milde, Esq. has extensive litigation experience in the state and federal courts in the areas of commercial law; secured and unsecured transactions; creditor's rights; lender liability; real estate law; bank operations law; and negotiable instruments. He is experienced in all phases of pleadings, discovery, law and motion, prejudgment remedies (including writs of attachment, writs of possession, receiverships, temporary restraining orders, protective orders, and preliminary injunctions), summary judgments, arbitrations, mediations, trials, writ proceedings, enforcement of judgments, and appeals. Breck practices bankruptcy law under Chapters 7, 11 and 13 of the Bankruptcy Code, primarily representing creditors in adversary proceedings, relief from stay motions, claims disputes, objections to plans of reorganization, motions for the conversion or dismissal of bankruptcy cases, cash collateral proceedings, enforcement of executor contracts, appointment of trustees, preference and fraudulent transfer litigation, as well as post-confirmation matters. Breck has experience both as in-house and outside legal counsel for financial institutions, providing advice and litigating matters involving negotiable instruments, checks, wire transfers, letters of credit, bank operations, lender liability, as well as collections. Breck also has extensive experience in negotiating and documenting loan modifications and restructuring, as well as judicial and non-judicial foreclosures. Breck graduated from the Santa Clara University School of Law in 1985, and from the University of California, Santa Cruz in 1981, with honors. Breck is admitted to practice in all of the State and Federal Courts in the State of California. He is on the Judicial Arbitration Panel, and has acted as a Judge Pro Tem for the Santa Clara County Superior Court. He is a founding partner of Terra Law LLP. Breck was a past chair of the San Jose

Bank Attorneys Association and is currently a member of the Congressman Don Edwards Inn of the Court, a group consisting of bankruptcy judges and attorneys who practice in the area of Chapter 11 bankruptcy. Breck is an editorial consultant for the California Debt Collection and Enforcement of Judgments, Matthew Bender Practice Guide, from 2006-present. Breck is a frequent speaker on topics including debt collection, enforcement of judgments, creditors' rights, bankruptcy, and commercial law. Breck has been selected as a member of the Northern California Super Lawyers, the top five percent of lawyers in the state as selected by their peers, for the years 2006, 2008, 2009 and 2010. ■



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CREATING CASH FLOW THROUGH FLIPPING JUDGMENTS



Since April 2003, **Brian M. Carter**, a non-attorney, has continuously owned and operated Discovery Judgment Recovery, a full-

service judgment enforcement business located in Hayward, Calif., about 30 miles southeast of San Francisco. He now specializes in the buying and selling of rights in federal and state court civil money judgments. He joined the CAJP in 2003 and has been a frequent contributor to the CAJP news group. Brian has amassed a wealth of knowledge in the field of judgment enforcement and has used this extensive know-how to take on large corporations like Wal-Mart and Morgan Stanley Co., as well as governmental agencies such as the D.A., Alameda County, Child Support Division, against all of whom he has successfully enforced civil money judgments. He loves to settle with judgment debtors but isn't afraid to litigate all the way to the Calif. Court of Appeal or U.S. Bankruptcy Appellate Panel, when necessary. He is currently the editor-in-chief of the 6th Edition of *"How to Collect When You Win a Lawsuit in California"*, published by CAJP. His favorite slogan is, "A fast nickel is better than a slow dime". ■

POST JUDGMENT LAW AND MOTION PRACTICE



Patrick Bulmer is the principal receiver of California Receivership Services, focusing on judgment enforcement and fraudulent transfer receiverships. Mr. Bulmer is a founding member of California Association of Judgment Professionals and is a member of the California Receivers Forum. Mr.

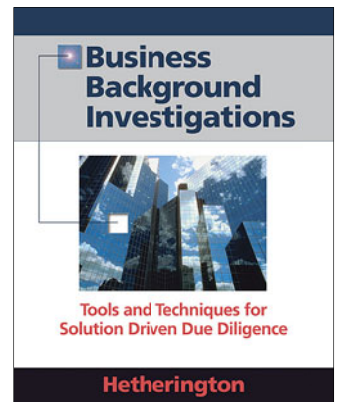


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Included in course materials!



Business Background Investigations, authored by internationally renowned Cynthia Hetherington, a speaker at this years annual conference, Provides the blueprint to perform proper due diligence and discover competitive intelligence when examining the backgrounds of businesses and the principals who run them.

Bulmer regularly lectures on judgment enforcement and receiverships, has been working in judgment enforcement for over twelve years and has over 18 years experience in small business management and technology consulting. www.calreceiver.com. Patrick will share over 10 years of experience as a self-represented litigant engaged in unlimited civil law and motion practice. This program covers basic law and motion procedure with a focus on post-judgment motions, tailored toward the unrepresented assignee. The program will address preparing noticed motions and ex parte applications, temporary restraining orders and appearances at hearings. ■