

CAUSE NO. 2022-19581A

COMMENCEMENT BANK,	§	IN THE DISTRICT COURT
	§	
Plaintiff/Judgment Creditor,	§	
	§	
VS.	§	HARRIS COUNTY, TEXAS
	§	
GREENLEAF BOOK GROUP, LLC,	§	
	§	
Garnishee.	§	152ND JUDICIAL DISTRICT COURT

GREENLEAF BOOK GROUP, LLC'S ANSWER TO WRIT OF GARNISHMENT

TO THE HONORABLE COURT:

GREENLEAF BOOK GROUP, LLC ("Garnishee") files this original answer to the Writ of Garnishment After Judgment issued on July 22, 2022 ("Writ of Garnishment").

I. Answer to Writ of Garnishment

1. Effective July 1, 2022, Garnishee terminated all of its agreements with Dan Eberhart due to his failure to pay outstanding balances.

2. The Writ of Garnishment was served on the Garnishee on July 28, 2022.

3. On the date of service, and as of the date of filing this Answer, Garnishee is not indebted to Totem Electric of Tacoma, Inc., Totem Industrial Holdings, LLC, Dan K. Eberhart or Jane Doe Eberhart ("Judgment Debtors"). In fact, Dan Eberhart owes money to Garnishee.

4. On the date of service, and as of the date of filing this Answer, Garnishee is not in possession of any effects belonging to Judgment Debtors, including but not limited to any of Dan Eberhart's books.

5. On the date of service, and as of the date of filing this Answer, Garnishee has no knowledge of any other person who is indebted to, or has in possession any effect belonging to, Judgment Debtors.

II. Request for Attorney's Fees

Garnishee has engaged an attorney-at-law to represent it in this proceeding. Garnishee has contracted to pay a reasonable attorney's fee, as well as costs, which the Garnishee is entitled to recover in accordance with Civil Procedure Rule 677. In the event of an appeal to the court of appeals or Supreme Court of Texas, Garnishee would be entitled to an additional sum for attorneys' fees.

III. Request for Relief

WHEREFORE, Greenleaf Book Group, LLC, Garnishee, requests:

1. That Garnishee be discharged on the answer;
2. That Garnishee recover against Plaintiff Commencement Bank, as provided in Rule 677 of the Texas Rules of Civil Procedure, costs and expenses, including reasonable attorney's fees; and
3. For such other relief to which Garnishee may show itself properly entitled.

Respectfully submitted

JACKSON WALKER LLP

By: /s/ Scott W. Weatherford

Scot W. Weatherford
State Bar No. 24079554
100 Congress Avenue, Suite 1100
Austin, Texas 78701
Phone: (512) 236-2073
Fax: (512) 691-4440
Email: sweatherford@jw.com

VERIFICATION

I, Tanya Hall, make this verification in my capacity as an authorized employee of Greenleaf Book Group, LLC ("Green Leaf"). I have read the facts contained in the foregoing answer, and I declare, based on my personal knowledge and information available to Green Leaf, that the factual contentions contained therein are true and correct.

My name is Tanya Hall and my business address is P.O. Box 91869, Austin, Texas 78709, and my date of birth is 03/02/1974. I am over the age of twenty-one and fully competent in every respect to make this Verification. I declare under penalty of perjury that the foregoing is true and correct.

Executed in Travis County, Texas on August 18, 2022.

Tanya Hall

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing has been served upon all counsel of record via the Court's electronic filing system on this the 19th day of August, 2022.

/s/ Scott W. Weatherford

Scott W. Weatherford

Automated Certificate of eService

This automated certificate of service was created by the eFiling system. The filer served this document via email generated by the eFiling system on the date and to the persons listed below. The rules governing certificates of service have not changed. Filers must still provide a certificate of service that complies with all applicable rules.

Yvonne Ferrari on behalf of Scott Weatherford

Bar No. 24079554

yferrari@jw.com

Envelope ID: 67489604

Status as of 8/19/2022 3:56 PM CST

Case Contacts

Name	BarNumber	Email	TimestampSubmitted	Status
Scott Weatherford		sweatherford@jw.com	8/19/2022 3:51:39 PM	SENT
James E. Cuellar	5202345	jcruellar@wellscuellar.com	8/19/2022 3:51:39 PM	SENT