

Michigan Supreme Court  
Office of the Clerk  
Michigan Hall of Justice  
P.O. Box 30052  
Lansing, Michigan 48909  
Phone (517) 373-0120

August 18, 2004

Aaron Geyer, Esq  
CHRISTOPHER AIELLO PC  
26393 Dequindre  
Madison Hts, MI 48071

Daniel Henry, Esq  
PO Box 806051  
St Clair Shores, MI 48080

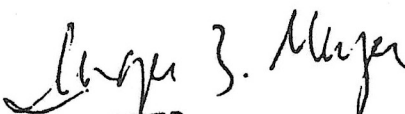
Re: *Aiello PC v Morrison*, S Ct No. 125165

Counselors:

Today I have taxed costs in the amount of \$10460.17 for Plaintiff-Appellee in the above-entitled case. See MCR 7.318; 7.219(F) (1), (2). Specifically, I taxed \$56 for the 56 page brief in opposition and \$10404.17 for the stay bond. Costs sought under MCL 600.2441(1)(b) are not taxable in this matter because it was neither a calendar case nor a case given an early hearing.

This taxation of costs may be reviewed by the entire Court upon motion of any party filed within seven days of the date of this letter. See MCR 7.318; 7.219(E).

Very truly yours,

  
INGER Z. MEYER,  
Deputy Clerk

IZM

**222.14 Exemption of cash surrender value of life insurance policies and annuity contracts from legal process.** The cash surrender values of life insurance policies issued upon the lives of citizens or residents of the state and the proceeds of annuity contracts issued to citizens or residents of the state, upon whatever form, shall not in any case be liable to attachment, garnishment or legal process in favor of any creditor of the person whose life is so insured or of any creditor of the person who is the beneficiary of such annuity contract, unless the insurance policy or annuity contract was effected for the benefit of such creditor.

**222.21 Exemption of pension money and retirement or profit-sharing benefits from legal processes.**

(1) Money received by any debtor as pensioner of the United States within 3 months next preceding the issuing of an execution, attachment, or garnishment process may not be applied to the payment of the debts of the pensioner when it is made to appear by the affidavit of the debtor or otherwise that the pension money is necessary for the maintenance of the debtor's support or a family supported wholly or in part by the pension money. The filing of the affidavit by the debtor, or the making of such proof by the debtor, is prima facie evidence; and it is the duty of the court in which the proceeding is pending to release all pension moneys held by such attachment or garnishment process, immediately, upon the filing of such affidavit or the making of such proof.

(2)(a) Except as provided in paragraph (b), any money or other assets payable to a participant or beneficiary from, or any interest of any participant or beneficiary in, a retirement or profit-sharing plan that is qualified under s. 401(a), s. 403(a), s. 403(b), s. 408, s. 408A, or s. 409 of the Internal Revenue Code of 1986, as amended, is exempt from all claims of creditors of the beneficiary or participant.

STATE OF MICHIGAN JUDICIAL DISTRICT 6TH JUDICIAL CIRCUIT	GARNISHEE DISCLOSURE	CASE NO.  00-020759-CK
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Court address **1200 North Telegraph Road** Pontiac, Michigan 48341 Court telephone

Plaintiff's name and address  
**Christopher P. Aiello, P.C.**  
**26393 Dequindre**  
**Madison Heights, Michigan 48071**

Defendant's name, address, soc. sec. no. or employee ID no.  
**Christine Lynn Morrison**  
**2715 SE LaPalma Ter**  
**Stuart, FL 34997**  
**Social Security Number:**

v

Plaintiff's attorney, bar no., address, and telephone no.  
**Aaron D. Geyer, P39889**  
**26393 Dequindre**  
**Madison Heights, Michigan 48071**  
**(248) 546-2211**

Garnishee's name and address  
**Fidelity & Guaranty Company**  
**PO Box 19040**  
**Greenville, NC 29602**

SEE INSTRUCTIONS ON OTHER SIDE

1. This disclosure is for a writ of garnishment issued on 04/13/05 and received by garnishee on 04/27/05  
 a. The garnishee mailed or delivered a copy of the writ of garnishment to the defendant on 05/25/05  
 b. The garnishee was unable to mail or deliver a copy of the writ of garnishment to the defendant.

2. At the time of service of the writ, garnishee:

- Non-Periodic Garnishments**  
 a. is not indebted to defendant for any amount and does not possess or control defendant's property, money, etc.  
Reason: \_\_\_\_\_  
 b. is indebted to defendant for non-periodic payments as follows:

Description of property, money, negotiable instruments, etc. under garnishee's control \_\_\_\_\_ Type of account and account number if applicable \_\_\_\_\_  
The amount to be withheld is \$ \_\_\_\_\_ and does not exceed the amount stated in item 2. of the writ

- Periodic Garnishments**  
 c. is not obligated to make periodic payments to the defendant during the 91 day period.  
Reason:  not employed.  other Pursuant to MCL 500.2207(1), annuity proceeds exempt  
 d. is obligated to make periodic payments to the defendant during the 91 day period as follows:  
Payments are for  earnings  non-earnings \_\_\_\_\_ specify nature of payment (see instructions on back)  
Payments are made  weekly.  bi-weekly.  semi-monthly.  monthly.  other: \_\_\_\_\_ frequency of payment  
A higher priority writ/order  is  is not currently in effect. (if a higher priority writ/order is in effect, complete the following)

Name of court that issued higher priority writ/order	Case number	Date issued	Date served

- Withholding under this writ  
 will begin immediately if sufficient funds are available.  
 will not begin immediately because defendant is  laid off.  sick.  on leave.  other: Exempt  
specify

I declare that the statements above are true to the best of my information, knowledge, and belief.

05/25/2005  
Date

*Mildred C. Allen* Paralegal  
Garnishee/Agent/Attorney signature (410) 895-1069

- I certify that:  
on 05/25/05 I mailed or personally delivered a copy of this disclosure with the court.  
on 05/25/05 I mailed or personally delivered a copy of this disclosure to the plaintiff/attorney.  
on 05/25/05 I mailed or personally delivered a copy of this disclosure to the defendant.

05/25/2005  
Date *Mildred C. Allen* Paralegal  
Garnishee/Agent/Attorney signature

**DO NOT Include Your Payment With This Disclosure. See item 3. of the instructions for details.**

**FIDELITY AND GUARANTY LIFE INSURANCE COMPANY**

P.O. Box 81497  
Lincoln, NE 68501-1497  
1.888.513.8797

**June 17, 2005**

**CHRISTOPHER P. AIELLO, ESQ.  
CHRISTOPHER P. AIELLO, P.C.  
32411 MOUND ROAD  
WARREN, MICHIGAN 48092**

Policy Number: 01789911- Christine Lynn Morrison

**CONFIRMATION**

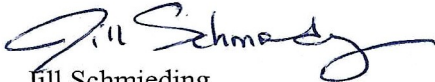
Mr. Aiello:

Per State of Michigan, Request and Writ of Garnishment Subpoena, dated April 13, 2005.

Please find enclosed a check for \$38,813.19. This represents the account value of \$40,676.27 less surrender charges of \$1,863.08 for a net check of \$38,813.19.

We appreciate having this opportunity to be of service! Should you have any questions, or require additional information, please do not hesitate to contact us at **888-513-8797** option 3.

Sincerely,



Jill Schmieding  
Service Representative  
Annuity Policyholder Services

Cc:

**CHRISTINE MORRISON  
2715 SE LAPALMA TER  
STUART FL 34997**

