## UNITED STATES DISTRICT COURT DISTRICT OF CONNECTICUT

EDGAR SANDOVAL, FREDY GALVEZ
ORTIZ, WELSER MORALES ROBLERO,

and ANTONIO RODRIGUEZ.

Plaintiffs, : CIVIL ACTION NO.

: 3:13-CV-00640 (VLB)

v. :

:

CHARLES BOLTON and H AND L :

PLASTICS COMPANY, INC.,

Defendant. : August 9, 2013

## ORDER GRANTING [Dkt. #13] APPLICATION FOR PREJUDGMENT REMEDY AND GRANTING MOTION FOR DISCLOSURE OF ASSETS

Upon consideration of the Plaintiffs' Application for a Prejudgment
Remedy and Disclosure of Assets, the declarations attached thereto, the
testimony and exhibits entered into evidence at the hearing on said application
conducted by the Court on August 8, 2013, at which the Defendant Charles Bolton
appeared *pro se*, the Court finds that there is probable cause to believe that a
judgment will enter in favor of the Plaintiffs in the amount of, or in an amount
greater than the amount of, the prejudgment remedy sought taking into
consideration the absence of any asserted defenses, set-offs, insurance or other
security to assure payment of a judgment. Accordingly, the Court hereby grants
the Application and orders a pre-judgment attachment of the assets of both
Defendants in favor of the Plaintiffs in the amount of \$57,823.06.

Further, in view of the *pro* se attendance of the Defendant Charles Bolton at the hearing, at which he admitted that, after this action was filed, in which he has yet to file an formal written appearance, he sold all of the assets of the

Defendant H and L Plastics Company, Inc. (hereinafter "H and L Plastics"), including its equipment, customer lists, and good will; and further that he is assisting the purchaser of the assets of H and L Plastics to fully realize and maximize the value of those assets by lending his personal good will with its former customers on behalf of the purchaser and working without compensation for the purchaser; and further, that he applied the proceeds of the sale of H and L Plastics to pay debts owed to certain of his creditors to the deprivation of others, including the Plaintiffs, the Court orders Charles Bolton to disclose the following assets to the Plaintiffs within 30 days of this Order:

- 1. Bank accounts: For all bank accounts in which Defendants have and Defendant H and L Plastics had an interest, including those accounts held by a business in which Defendants have an interest, disclosure of: the type of account (e.g. checking, savings, certificate of deposit); the names and addresses of the institutions where such funds or accounts are maintained; the present balance in each account; the account numbers for each account; and bank statements from each account for the last three years.
- 2. Pensions and retirement accounts: For all pension and/or retirement accounts in which Defendants have and Defendant H and L Plastics had an interest, disclosure of: the type of account; the names and addresses of the institutions where such funds or accounts are maintained; the present balance in each account; the disbursement schedule from each account; the account numbers for each account; and statements from each account for the last three years.

- 3. Money market funds or accounts: For all money market funds and/or accounts in which Defendants have and Defendant H and L Plastics had an interest, including those funds/accounts held by a business in which Defendants have an interest, disclosure of: the names of the money market funds or accounts; the names and addresses of the institutions where such funds or accounts are maintained; the present balance in each such fund or account; account numbers for each account; and statements from each account for the last three years.
- 4. Real property: For all real property in which Defendants have and Defendant H and L Plastics had an interest, including that real property held by a business in which Defendants have an interest, disclosure of: the record owner(s); the location and address of the property; the legal property description; the nature of the interest in the property; the estimated market value of Defendants' interests; and the names and addresses of any lien holders on the property and the amount of such liens.
- 5. Personal property: For all personal property in which Defendants have and Defendant H and L Plastics had an interest, including that personal property held by a business in which Defendants have an interest, disclosure of: the record owner(s); the location and address of the property; the legal property description; the nature of the interest in the property; the estimated market value of Defendants' interests; and the names and addresses of any lien holders on the property and the amount of such liens.

- 6. Transfer of real and personal property: For all transfers of real and personal property in which Defendants have and Defendant H and L Plastics had an interest, including those transfers of real and personal property held by a business in which Defendants have an interest, disclosure of: the date of all transfers of property made in the last three years; the name of the transferee(s); consideration paid for property; the location and address of the property; the legal property description; the nature of the interest in the property; the estimated market value of the property transferred; and the names and addresses of any lien holders on the property and the amount of such liens.
- 7. Stocks, bonds, commercial paper and securities (collectively, the "securities"):
  For all securities in which Defendants have and Defendant H and L Plastics had
  an interest, including those securities held by a business in which Defendants
  have an interest, disclosure of: the entities issuing the securities; the type of
  security; the amount of shares owned in each entity (if the securities are capital
  stock) or the principal amount of the securities, as the case may be; the market
  value of the securities; the present location of the securities; and the series
  numbers of any stock and bond certificates.
- 8. Accounts receivable: For all accounts receivable in which Defendants have and Defendant H and L Plastics had an interest, including those accounts receivable pertaining to a business in which Defendants have an interest, disclosure of: the names and addresses of the account debtors within the last three years; the amount of the account debtors' obligations; the dates on which the obligations were incurred; and the dates on which such obligations became or become due.

- 9. Motor vehicles, boats, and airplanes: For all motor vehicles, boats, and airplanes in which Defendants have and Defendant H and L Plastics had an interest, including those motor vehicles, boats, and airplanes held by a business in which Defendants have an interest, disclosure of: description and registration number; the city or town where registered; the names and addresses of any lien holders and the amount of such liens; and the estimated market value.
- 10. Lawsuits: For all lawsuits in which Defendants have and Defendant H and L Plastics had an interest, including those lawsuits pertaining to a business in which Defendants have an interest, disclosure of: the name; docket number; location; and description of any pending lawsuits, as well as any verdicts or settlements.
- 11. All other tangible and intangible assets having a value of \$500 or more: For all other assets in which Defendants have and Defendant H and L Plastics had an interest, including those assets held by a business in which Defendants have and Defendant H and L Plastics had an interest, disclosure of: description of all such assets; the location of such assets; the names and addresses of lien holders and the amount of such liens; and the estimated market value of such assets.
- 12. Tools and Equipment: For all tools and equipment in which Defendants have and Defendant H and L Plastics had an interest, including those tools and equipment held by a business in which Defendants have and Defendant H and L Plastics had an interest, disclosure of: description of all such assets; the location

of such assets; the names and addresses of lien holders and the amount of such liens; and the estimated market value of such tools and equipment.

13. Income Tax Returns: For all income tax returns filed by and in which
Defendants have and Defendant H and L Plastics had an interest, including those
income tax returns pertaining to a business in which Defendants have an interest,
disclosure of: copies of all state and federal income tax returns from the last
three years; copies of all state and federal business tax returns from the last
three years for businesses in which Defendants have an interest and Defendant H
and L Plastics had; and the names and addresses of tax preparers who have
worked with Defendants in the last three years.

14. Information concerning the sale of the Defendant H and L Plastics, including without limitation, disclosure of the purchase contract and related documents, the amount and disposition of the sale proceeds, including bank records reflecting same, business valuations and other statements of value of said company.

So Ordered, this 8<sup>th</sup> day of August 2013 at Hartford, Connecticut.

\_\_\_\_/s/\_ Honorable Vanessa L. Bryant United States District Judge