

IN THE COUNTY COURT IN AND FOR PALM BEACH COUNTY, FLORIDA

CASE NO: 502011CC009011X

DISCOVER BANK

Plaintiff(s),

vs.

PATRICIA M LEVI

Defendant(s),

and

SUNTRUST BANK

Garnishee,

\_\_\_\_\_ /

ANSWER OF THE GARNISHEE, SUNTRUST BANK

Garnishee, SUNTRUST BANK, hereby Answers the Writ of Garnishment (“Writ”) served upon it as follows:

1. Garnishee had at the time of service of the Writ, plus sufficient time not to exceed one (1) business day, at the time of making this Answer and at all times between such periods, as designated:

**PATRICIA M LEVI  
2425 PRESIDENTIAL WAY UNIT 703  
WEST PALM BEACH FL 33401-1322  
ACCOUNT # ENDING IN 7840  
AMOUNT HELD: \$5,838.24**

**Garnishee has retained \$5,838.24 (Balance in Excess) pursuant to the Writ.** The Garnishee further states that exempt federal benefit payments were deposited into the account # ending in **7840**. Funds retained by Garnishee are in excess of the protected amount. As required by Federal Reserve Regulation 31 CFR Part 212, the Garnishee will not hold additional property of the Judgment Debtor that may come into its possession after review of the account.

2. Prior to retaining the sum described above, Garnishee has offset an administrative fee of \$100.00 as allowed by Garnishee's deposit agreement and not as an attorney fee.
3. In addition, Garnishee has a safe deposit box, which is being held pursuant to the Writ and identified as follows:

<u>Name(s) on Box(es)</u>	<u>Box(es) No(s)</u>	<u>Box(es) Location</u>
PATRICIA M LEVI DANIELLE C KANE	110285	540 VILLAGE BLVD WEST PALM BEACH, FL 33409

Garnishee has retained the safe deposit box(es) on its premises and has restricted access into the box(es) **pending further Orders of this Court**. In the event the court orders an inventory of the safe deposit box(es) and Plaintiff cannot obtain a key from the Defendant(s), there is a drilling fee up to \$219 to open the safe deposit box for an inventory of its contents.

4. Garnishee has no other tangible or intangible personal property of said Defendant in its possession or control at the time of this Answer, and had no such property in its possession or control at the time of service of the Writ, nor at any time between such periods.
5. Pursuant to Florida Statute 77.06(2), Garnishee does not know of any other person, firm, or corporation which has an ownership interest in the involved property or may have any of the goods and possessions of said Defendant, at the time of service of the Writ, plus sufficient time not to exceed one (1) business day, at the time of making this Answer and at all times between such periods, in its or their possession or control.
6. Garnishee has no obligation to make, and has not made, a factual determination whether the property of the Defendant(s) in its possession or control is subject to any exemption provided to the Defendant(s) by State or Federal Law.

**DEMAND FOR GARNISHMENT DEPOSIT**

7. The undersigned counsel, a member of the Florida Bar and attorney for Garnishee, SUNTRUST

BANK, has prepared this Answer to the Writ. If applicable, pursuant to Section 77.28, Florida Statutes, as amended effective July 1, 2014, the Plaintiff/Plaintiff's Counsel shall pay and remit the \$100.00 attorney fee directly to SUNTRUST BANK. Alternatively, if funds are already on deposit with the Clerk of Court, the Garnishee hereby demands that the Clerk award the \$100.00 statutory attorney garnishment fee for having legal representation in this garnishment action, payable to SUNTRUST BANK.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was sent by email to: ZORAN D. JOVANOVIĆ, ESQ. (SOUTHFLALITIGATION@ZWICKERPC.COM), Attorney for Plaintiff, this 15<sup>th</sup> day of March, 2017.

SUNTRUST BANK

By: /s/ John A. Barry  
JOHN A. BARRY  
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