

## IN THE IOWA DISTRICT COURT FOR POLK COUNTY

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| FENIX CAPITAL FUNDING LLC<br>Plaintiff(s)<br><br>VS.<br><br>RELAUNCH CONTRACTING LLC<br>WILLIAM LYNCH<br><br>Defendant(s) | 05771 LACL158498<br><br><br>ORDER<br>RULING AND ORDER ON MOTION TO<br>QUASH AND SET ASIDE GARNISHMENT |
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NOW on November 26, 2024, this matter came before the Court for a contested hearing on the Defendant's motion to quash garnishment and to set aside judgment. The parties were present by their respective counsel. William Lynch also appeared. The hearing was conducted by virtual means. It should be noted that the hearing was originally set to be on the motion to quash only but at the hearing the parties agreed to hear the matter of the motion to set aside the judgment. The evidence shows that a similar action for a money judgment is currently pending in the state of New York.

The garnishment can best be addressed by examining the purported confession of judgment filed in this matter. (D0001). The affidavit of confession of judgment is deficient in that it is not verified as required by Section 676.3, the Code of Iowa. As such, the judgment is not valid and enforceable it, along with the garnishment, should be set aside and quashed. For this and all the reasons as set forth by the Defendant the judgment is set aside and the garnishment is quashed.



State of Iowa Courts

**Case Number**  
LACL158498

**Case Title**  
FENIX CAPITAL FUNDING LLC VS RELAUNCH  
CONTRACTING  
**Type:** OTHER ORDER

So Ordered

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Scott D. Rosenberg, District Court Judge,  
Fifth Judicial District of Iowa

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