# 6-21/410.00 Objection to Undertaking

The defendant may object to the plaintiff's undertaking by filing a notice of objection to undertaking with the court and mailing a copy to the levying officer within 10 days after levy. The plaintiff may object to an undertaking filed by the defendant for redelivery of the property by filing a notice of objection to undertaking with the court and mailing a copy to the levying officer within 10 days after the defendant filed the undertaking for redelivery with the court. (CCP 515.030(a), (b))

If the court determines that the defendant's undertaking is insufficient and a sufficient undertaking is not filed within the time required by statute, the court shall order the levying officer to deliver the property to the plaintiff, or, if the plaintiff has previously been given possession of the property, the plaintiff shall retain possession. If the court determines that the defendant's undertaking is sufficient, the court shall order the levying officer or the plaintiff to deliver the property to the defendant. (CCP 515.030(c))