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**IN THE CIRCUIT COURT OF THE STATE OF OREGON  
FOR THE COUNTY OF LANE**

PENNYMAC LOAN SERVICES, LLC,

**CASE NUMBER: 16-14-15460**

Plaintiff,

vs.

**WRIT OF EXECUTION IN FORECLOSURE**

JACK GREGORY FINGER, an individual;  
and all other persons, parties, or occupants  
unknown claiming any legal or equitable  
right, title, estate, lien, or interest in the real  
property described in the complaint herein,  
adverse to Plaintiff's title, or any cloud on  
Plaintiff's title to the Property.

Defendants.

TO: THE SHERIFF OF LANE COUNTY, OREGON:

1.

WHEREAS, on March 20, 2017, in the above-entitled Court, a General Judgment of  
Foreclosure ("Judgment") was entered and docketed in the above-entitled and numbered proceeding

2.

NOW, THEREFORE, IN THE NAME OF THE STATE OF OREGON, you are hereby  
commanded to sell, in the manner prescribed by law for the sale of real property upon (subject to

1 redemption, if applicable), all of the interest which the Defendant JACK GREGORY FINGER  
2 ("Defendant") had on April 21, 2003, the date of the foreclosed Deed of Trust which was recorded  
3 on April 28, 2003, as Instrument No. 2003-037498 in the official records of the Lane County  
4 Recorder's Office, and/or all of the interest which Defendant had thereafter, in the real property  
5 described in the Judgment to satisfy the Judgment as follows:

6  
7 **Lender's Principal Judgment:**

8 Unpaid Principal Balance:	\$80,739.71
9 Pre-Judgment Interest from February 1, 10 2013 to July 18, 2016, the date set forth 11 in the Judgment at 6.00%, per annum, 12 (\$13.27 per diem):	\$16,777.33
13 Lender's Fees and Costs:	\$6,425.16
14 Attorney's Fees and Costs:	\$2,218.00
15	
16 <b><i>Total Judgment Entered:</i></b>	<b><i>\$103,942.20</i></b>

17  
18 **Additional Pre-Judgment Interest:**

19 Accrued Interest from July 19, 2016, 20 the day after the date set forth in the 21 Judgment through March 20, 2017, the 22 date of entry of the Judgment, at 6.00%, 23 per annum (\$13.27 per diem):	\$3,237.88
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1 *Total Judgment Entered Including*

2 *Additional Pre-Judgment*

3 *Interest:* *\$109,398.08*

4 3.

5 Additionally, Plaintiff is entitled to the accrual of post-judgment interest on \$109,398.08 at  
6 the legal rate of interest of 9% per annum, \$26.97 per diem, from March 21, 2017 to the date the real  
7 property subject to the Judgment is sold by the County Sheriff at its foreclosure auction, plus costs of  
8 this Writ, Sherriff's fees and sale costs, and all other recovered costs pursuant to law.

9 4.

10 The real property subject to this writ of execution is commonly known as 142 E STREET,  
11 SPRINGFIELD, OR 97477 ("Property") and described in Exhibit "1" attached hereto.

12 5.

13 The Judgment Creditor's name and address is:

14 PennyMac Loan Services, LLC  
15 6101 Condor Drive  
16 Moorpark, California 93021-2602

17 The Judgment Creditor's name and address for the purpose of this Writ is:

18 PennyMac Loan Services, LLC  
19 c/o Malcolm & Cisneros, ALC (Attention: Nathan F. Smith)  
20 2112 Business Center Drive  
21 Irvine, CA 92612  
22 949-252-9400

23 THEREFORE, in the name of the State of Oregon, you are hereby commanded to seize and  
24 sell the Property, in the manner prescribed by law; or so much thereof as may be necessary to satisfy  
25 the Judgment, interest, fees, and costs.

26 ///

27 ///

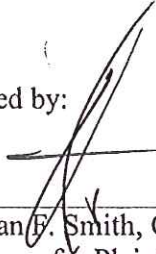
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MAKE RETURN HEREOF within 60 days after you receive this Writ.

October 24, 2017

Submitted by:



*By: Angela Jones*  
Court Clerk

Dated:

*10/19/17*

Nathan F. Smith, OSB #120112  
Attorney for Plaintiff  
MALCOLM ♦ CISNEROS, A Law Corporation  
2112 Business Center Drive, Second Floor  
Irvine, California 92612  
Phone: (949) 252-9400  
Fax: (949) 252-1032  
Email: nathan@mclaw.org

**Exhibit “1”**

**LEGAL DESCRIPTION**

Lots 15 and 16, in Block 94, WASHBURNES SUBDIVISION OF THE SPRINGFIELD INVESTMENT AND POWER COMPANY'S ADDITION TO SPRINGFIELD, as platted and recorded at Page 73 of Volume 2, Lane County Oregon Plat Records, in Lane County, Oregon.

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**IN THE CIRCUIT COURT OF THE STATE OF OREGON  
FOR THE COUNTY OF LANE**

PENNYMAC LOAN SERVICES, LLC,

Plaintiff,

vs.

JACK GREGORY FINGER, an individual;  
and all other persons, parties, or occupants  
unknown claiming any legal or equitable  
right, title, estate, lien, or interest in the real  
property described in the complaint herein,  
adverse to Plaintiff's title, or any cloud on  
Plaintiff's title to the Property.

Defendant.

**CASE NUMBER: 16-14-15460**

**GENERAL JUDGMENT OF  
FORECLOSURE BY DEFAULT**

1.

THIS MATTER, coming on regularly before the Court, and it appearing from the record herein that Plaintiff, PennyMac Loan Services, LLC ("Plaintiff"), filed its Complaint for Foreclosure of Deed of Trust; that Defendant Jack Gregory Finger was duly served with the Summons and Complaint as required by law; that Defendant Jack Gregory Finger failed to appear, that the ORDER FOR ENTRY OF DEFAULT AGAINST DEFENDANT JACK GREGORY FINGER has been entered against Defendant JACK GREGORY FINGER on Plaintiff's Complaint, and that Plaintiff is entitled to entry of a General Judgment foreclosing Plaintiff's deed of trust against the property commonly known as 142 E Street, Springfield, Oregon 97477 ("Property") and extinguishing any

1 and its successors and/or assigns, as further described below in the Declaration of Amount Owed –  
2 Not a Money Award (“Amount Owed”), plus attorneys’ fees and costs and any accruing per diem  
3 interest.

4 8.

5 The Property is hereby ordered to be sold by law and the proceeds of sale applied toward the  
6 satisfaction of Plaintiff’s Amount Owed herein; and the surplus, if any to the Clerk of the Court to be  
7 disbursed to such party or parties as may establish their right thereto.

8 9.

9 Plaintiff is entitled to recover its reasonable attorney’s fees and all reasonable and necessary  
10 costs and expenses incurred to enforcing the Note and Deed of Trust.

11 10.

12 Any increased interest or any such additional amounts as Plaintiff may advance for taxes,  
13 assessments, municipal charges, and such other items as may constitute liens on the Property,  
14 together with insurance and repairs necessary to prevent the impairment of the Property, together  
15 with interest thereon from the date of payment may also be added to the Amount Owed and paid  
16 from the proceeds from the sale of the Property.

17 11.

18 Defendant and all parties claiming an interest in the Property as purchasers, encumbrancers,  
19 or otherwise, are forever barred and foreclosed of all interests, liens, or claims in the Property and  
20 every portion thereof, excepting only any statutory right of redemption provided by the laws of the  
21 State of Oregon.

22 12.

23 Defendant Jack Gregory Finger is not entitled to a homestead exemption in the Property.

24 13.

25 Plaintiff may become purchaser at the Sheriff’s Sale of the Property and may bid up to the  
26 aggregate amount of its Amount Owed, plus any additional interest and reasonable costs until sale.

27 14.

28 The purchaser of the Property at the Sheriff’s Sale is entitled to exclusive and immediate



1 possession of the Property from and after the date of the sale, and is entitled to such remedies as are  
2 available at law to secure possession of the Property, and may apply to the Clerk of the Court for a  
3 writ of assistance, if Defendant, any of them, or any other party or person shall refuse to surrender  
4 possession of the Property to the purchaser immediately on the purchaser's demand for possession.

5 15.

6 This Court shall retain jurisdiction to enforce all provisions of this General Judgment and to  
7 enter such additional order, judgment, or decree necessary for the purchaser at the foreclosure sale to  
8 obtain possession of the Property.

9 16.

10 Under the Note, there is now due and owing to Plaintiff, the following amounts, to be  
11 hereinafter described as the Amount Owed.

12 17.

13 This suit does not constitute an attempt to collect the debt against Defendant Jack Gregory  
14 Finger. Rather, it is a suit to execute upon the Property as security for the Amount Owed.

15 **DECLARATION OF DEBT SECURED BY DEED OF TRUST**

16 **(Pursuant to Senate Bill 368)**

17 18.

18 Under the terms of the Deed of Trust and the Note dated April 21, 2003, in the original  
19 principal amount of \$97,983.00, there is now due and owing the following amounts, to be hereinafter  
20 described as the Amount Due:

21 **DECLARATION OF AMOUNT OWED – NOT A MONEY AWARD**

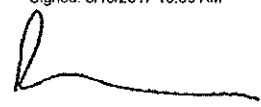
22 <b>1. Judgment Creditor:</b>	PennyMac Loan Services, LLC
23 Address:	c/o MALCOLM ♦ CISNEROS, A Law Corporation
24	2112 Business Center Drive, 2 <sup>nd</sup> Floor
25	Irvine, California 92612
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**Judgment Attorney:** Nathan F. Smith  
**Address:** MALCOLM ♦ CISNEROS, A Law Corporation  
2112 Business Center Drive, 2<sup>nd</sup> Floor  
Irvine, California 92612  
**Telephone Number:** (949) 252-9400

- 3. Persons or Public Bodies Entitled to a Portion the Judgment:** N/A
- 4. Judgment Amount:** \$103,942.20
- 5. Pre-Judgment Interest:** Simple interest to accrue on \$80,739.71 from July 19, 2016 to the date the Judgment is entered into the Court's register at 6.00% per annum, \$13.27 per diem.
- 6. Post-Judgment Interest:** Simple interest to accrue on \$106,160.20 plus Pre-Judgment Interest from the day after the General Judgment is entered to the date upon which the Writ of Execution in Foreclosure is levied at the legal rate of interest or 9% per annum, whichever is greater.
- 7. Periodic accrual:** N/A
- 8. Attorney's Fees and Costs:** An award of \$2,218.00 in attorney's fees and costs is made.

Signed: 3/16/2017 10:59 AM



R.Curtis Conover, Circuit Court Judge

1 Submitted by:

Dated: March 9, 2017

3 *s/Steve Bonfiglio*

4 Steve Bonfiglio, OSB #051220

Attorney for Plaintiff

5 MALCOLM ♦ CISNEROS, A Law Corporation

2112 Business Center Drive, Second Floor

6 Irvine, California 92612

7 Phone: (949) 252-9400

8 Fax: (949) 252-1032

Email: [sbonfiglio@mclaw.org](mailto:sbonfiglio@mclaw.org)

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CERTIFICATE OF READINESS

This proposed Order or Judgment is ready for judicial signature because:

- Service is not required under UTCR 5.100 because the other party has been found in default or an order of default is being requested with this proposed Order or Judgment; because this Order or Judgment is submitted ex parte as allowed by statute or rule; or this Order or Judgment is being submitted in open court with all parties present.
- Each party affected by this Order or Judgment has stipulated to or approved the Order or Judgment, as shown by the signatures on the Order or Judgment.
- I have served a copy of this Order or Judgment and written notice of the objection period set out in UTCR 5.100 on all parties entitled to service and:
  - No objections have been served on me within that time frame;
  - I received objections that I could not resolve with the other party despite reasonable efforts to do so. I have filed with the Court a copy of the objections I received and indicated which objections remain unresolved.
  - After conferring about objections, the other party agreed to file any remaining objection with the Court.

By: s/ Steve Bonfiglio  
Steve Bonfiglio, OSB #051220  
Attorney for Plaintiff  
MALCOLM ♦ CISNEROS, A Law Corporation  
2112 Business Center Drive, Second Floor  
Irvine, California 92612  
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Fax: (949) 252-1032  
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