

pd 945-  
5-  
225  
63

Court clerk has not verified the figures in this writ. If you have questions regarding this writ, please contact your legal counsel, the issuing attorney or company. Debtor may contest this writ by filing a claim of exemption.

2018 APR 25 AM 8:29

IN THE CIRCUIT COURT OF THE STATE OF OREGON  
FOR THE COUNTY OF MULTNOMAH

THE BANK OF NEW YORK MELLON  
F/K/A THE BANK OF NEW YORK, AS  
TRUSTEE FOR CWABS, INC., ASSET-  
BACKED CERTIFICATES, SERIES 2006-1,  
through its loan servicing agent OCWEN  
LOAN SERVICING, LLC

Case No.: 1209-11864

WRIT OF EXECUTION IN  
FORECLOSURE

FILED  
2018 APR -2 AM 8:37  
CIRCUIT COURT  
FOR MULTNOMAH COUNTY

Plaintiff,

vs.

RICHARD A. BLOOM; TIMOTHY J.  
WALTERS; MICKEY FLESKES; ANCTIL  
HEATING & COOLING INC. DOING  
BUSINESS AS ANCTIL HEATING &  
COOLING SERVICE; WILLIAM B.  
O'DONNELL DOING BUSINESS AS HSI  
SECURITY SYSTEMS, INC.;  
CONSTRUCTION CONTRACTORS  
BOARD; STATE OF OREGON;  
OCCUPANTS OF THE PROPERTY

Defendants.

**TO THE MULTNOMAH COUNTY SHERIFF:**

A Judgment of Foreclosure was entered and docketed in this case on June 20, 2013. A true copy of the Judgment is attached hereto. The Judgment was entered in favor of the Plaintiff:

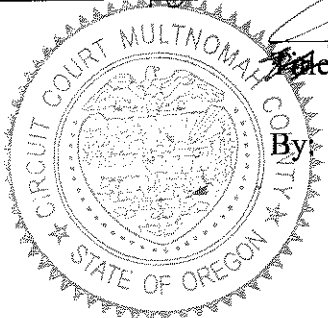
THE BANK OF NEW YORK MELLON, FKA, THE BANK OF NEW YORK, AS TRUSTEE, ON BEHALF OF THE HOLDERS OF CWABS, INC., ASSET-BACKED CERTIFICATES, SERIES 2006-1  
c/o Robert Hakari, Attorney for Plaintiff  
McCarthy & Holthus, LLP  
920 SW 3rd Ave, 1st Floor  
Portland, OR 97204

1 With the adjudicated amount due of \$449,373.21, plus post judgment interest at the statutory rate  
2 of 9.0% per annum from June 20, 2013 to January 9, 2018 in the amount of \$184,378.44, and  
3 continuing with a per diem of \$110.80, currently totaling \$633,751.65.

4 **NOW, THEREFORE, IN THE NAME OF THE STATE OF OREGON**, you are  
5 hereby commanded to sell, in the manner prescribed by law for the sale of real property on  
6 execution (subject to redemption of 180 days), all of the interest that the Defendant had on or  
7 about August 4, 2005, the date of the Deed of Trust, and also the interest that the Defendant had  
8 thereafter, in the real property described as shown in Exhibit 1, having APN No. R211614, and  
9 commonly known as: 4715 NE Mallory Avenue, Portland, OR 97211.

10 Sale of the property is to satisfy the sum listed above, plus the costs incurred in  
11 performing this Writ. Pursuant to ORS 18.872, you are authorized to continue execution under  
12 the writ and delay making a return on the writ to no later than 150 days from receipt of the writ.  
13 You are to make the return within 60 days after you receive this Writ. Should the sale be  
14 continued, the writ may be automatically extended for 30 days.

15 **DATED:** 28 day of March, 2018.



19 **McCarthy & Holthus, LLP**

20  
21 John Thomas OSB No. 024691  
22 Robert Hakari OSB No. 114082  
23 920 SW 3rd Ave, 1st Floor  
24 Portland, OR 97204  
25 Phone: (971) 201-3200  
26 Fax: (971) 201-3202  
27 rhakari@mccarthyholthus.com  
28 Of Attorneys for Plaintiff

EXHIBIT 1

LOT 3, BLOCK 8, MAEGLY HIGHLAND, IN THE CITY OF PORTLAND, COUNTY OF MULTNOMAH  
AND STATE OF OREGON.

ENTERED  
JUN 20 2013  
IN REGISTER CDR

FILED  
13 JUN 17 AM 8:05  
CIRCUIT COURT  
FOR MULTNOMAH COUNTY

IN THE CIRCUIT COURT OF THE STATE OF OREGON  
FOR THE COUNTY OF MULTNOMAH

THE BANK OF NEW YORK MELLON F/K/A  
THE BANK OF NEW YORK, AS TRUSTEE  
FOR CWABS, INC., ASSET-BACKED  
CERTIFICATES, SERIES 2006-1, through its  
loan servicing agent OCWEN LOAN  
SERVICING, LLC

Plaintiff,

vs.

RICHARD A. BLOOM; TIMOTHY J.  
WALTERS; MICKEY FLESKES; ANCTIL  
HEATING & COOLING INC. DOING  
BUSINESS AS ANCTIL HEATING &  
COOLING SERVICE; WILLIAM B.  
O'DONNELL DOING BUSINESS AS HSI  
SECURITY SYSTEMS, INC.; CONSTRUCTION  
CONTRACTORS BOARD; STATE OF  
OREGON; OCCUPANTS OF THE PROPERTY

Defendants.

Case No.: 1209-11864

GENERAL JUDGMENT OF  
FORECLOSURE

NOV 06 2013

1.

THIS MATTER came before the Court on Plaintiff's motion. Defendants RICHARD A. BLOOM, TIMOTHY J. WALTERS, MICKEY FLESKES, ANCTIL HEATING & COOLING INC. DOING BUSINESS AS ANCTIL HEATING & COOLING SERVICE, WILLIAM B. O'DONNELL DOING BUSINESS AS HSI SECURITY SYSTEMS INC., CONSTRUCTION CONTRACTORS BOARD, STATE OF OREGON, and the OCCUPANTS OF THE PROPERTY ("Defendants") were duly served with process and failed to appear; the default has

1 been entered against all Defendants, and it appears that Defendants are not incapacitated,  
2 protected persons, respondents as defined in ORS 125.005, minors, or in the military service of  
3 the United States, now therefore,

4 2.

5 IT IS HEREBY ADJUDGED that Plaintiff shall have judgment as follows:

- 6 1. A money judgment shall be granted against RICHARD A. BLOOM ("Borrowers") as listed  
7 below.
- 8 2. Plaintiff's lien is a valid first lien upon the property commonly known as 4715 NE Mallory  
9 Avenue, Portland, OR 97211, in Multnomah County, Oregon (the "Property") and legally  
10 described as follows:

11 LOT 3, BLOCK 8, MAEGLY HIGHLAND, IN THE CITY OF PORTLAND,  
12 COUNTY OF MULTNOMAH AND STATE OF OREGON

13 and having APN/Parcels #: R211614, and that lien is superior to any interest, lien or claim of  
14 the Defendants.

- 15 3. Plaintiff's lien is foreclosed and the Property shall be sold at a foreclosure sale by the  
16 Multnomah County Sheriff (the "Sheriff") in the manner provided by law, and the proceeds  
17 thereof are to be applied first toward the costs of sale; then toward the satisfaction of  
18 Plaintiff's judgment awarded herein; and the surplus, if any, to such party or parties as may  
19 establish their right thereto.
- 20 4. Any increased interest and such additional amounts as Plaintiff may advance for taxes,  
21 assessments, municipal charges, and such other items as may constitute liens on the property,  
22 together with insurance and repairs necessary to prevent the impairment of the security,  
23 together with interest thereon from the date of payment may also be added to the judgment  
24 and paid from sale of the Property.
- 25 5. Defendants, and all persons claiming by, through, or under them, as purchasers,  
26 encumbrancers, or otherwise, are adjudged inferior and subordinate to Plaintiff and are  
27 forever foreclosed of all interest, lien, or claim in the real property described above and every

1 portion thereof, excepting only any statutory right of redemption as Defendants may have  
2 therein.

3 6. Plaintiff or any other party to this suit may become the purchaser at the sale of the real  
4 property. The purchaser is entitled to exclusive possession of the real property from and after  
5 the date of sale and is entitled to such remedies as are available at law to secure possession,  
6 including a writ of assistance, if Defendants or any other party or person shall refuse to  
7 surrender possession to the purchaser immediately on the purchaser's demand for possession.

8 7. Plaintiff may credit bid the amount of its judgment together with accruing interest and any  
9 accruing costs paid by the Plaintiff.

10 8. In accordance with ORS 86.770, Plaintiff shall not execute upon any money judgment  
11 amounts remaining unsatisfied from the proceeds of a residential trust deed foreclosure sale.

12 9. Pursuant to ORS 86.770(3), Plaintiff may execute upon any money judgment amounts  
13 remaining unsatisfied by a non-residential trust deed foreclosure if the proceeds from the  
14 foreclosure sale are insufficient to satisfy the amounts due under this judgment, together with  
15 the costs of sale and other proper charges, as shown by the Sheriff's return of sale. Plaintiff  
16 shall not seek to execute upon a deficiency to the extent Borrowers have had such debt  
17 discharged in an applicable bankruptcy proceeding or where a current stay in bankruptcy is in  
18 place.

19 10. This Court shall retain jurisdiction to enter such additional order, judgment or decree of  
20 foreclosure necessary to obtain possession or to satisfy any deficiency judgment.

21 11. This Judgment shall be supplemented by Plaintiff, through Declaration of counsel, to reflect  
22 the amount due without further notice to Defendants.

23 ///

24 ///

25 ///

26 ///

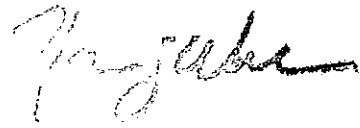
27 ///

**MONEY AWARD:**

- 1  
2
- 3 a. Judgment Creditor: THE BANK OF NEW YORK MELLON F/K/A THE  
4 BANK OF NEW YORK, AS TRUSTEE FOR  
5 CWABS, INC., ASSET-BACKED CERTIFICATES,  
6 SERIES 2006-1  
7 b. Judgment Creditor's Address: c/o McCarthy & Holthus, LLP (see (e.))  
8 c. Judgment Creditor's Date of Birth: N/A  
9 d. Attorney for Judgment Creditor: Robert Hakari, OSB# 114082  
10 e. Attorney for Judgment Creditor's 920 SW 3rd Ave, 1st Floor  
11 Address & Phone No.: Portland, OR 97204 [(855) 809-3977]  
12 *Judgment Debtor (1)*                      *Judgment Debtor (2)*  
13 f. Judgment Debtor name: Richard Bloom  
14  
15 g. Judgment Debtor's Address: 4715 NE Mallory Avenue,  
16 Portland, OR 97211  
17 Multnomah County  
18 h. Judgment Debtor's date of birth n/a  
19 i. Judgment Debtor's SS No. n/a  
20 j. Judgment Debtor's driver's lic. No. Unknown  
21 k. Attorney for Judgment Debtor No appearance filed  
22 l. Attorney for Judgment Debtor's N/A  
23 Address and Phone No.:  
24 m. Other Persons Entitled to Payment None.  
25 Address: N/A  
26 n. Judgment Principal Amount \$285,466.23  
27 o. Pre-Judgment Interest accruing  
28 from 5/01/2008 to 6/5/2013 at the  
Note rate, currently at the rate of  
11%: \$ 129,176.46  
p. Post-Judgment Interest shall accrue  
at 9.0% (per ORS 82.010) per  
annum, with a per diem of \$110.80  
from the date of the judgment:  
\$0.00  
q. Other Amounts Due Under Terms  
of Loan:  
• Escrow balance/advance: \$22,252.64  
• Late charges: \$3,986.78  
• Recoverable balances due  
under loan, including but not  
limited to property preservation  
costs, property inspection and  
valuation fees, and prior  
foreclosure expense: \$4,120.48

1 • Suspense balance: (\$74.18)  
 2 r. Costs, Disbursements, and  
 3 Litigation Expenses:  
 4 • Litigation expense (litigation  
 5 guarantee policy): \$915.00  
 6 • Filing fees: \$505.00  
 7 • Recording fees: \$36.00  
 8 • Service fees: \$924.00  
 9 • Postage: \$4.80  
 10 s. Attorney fees awarded: \$2,060.00  
 11  
 12 **Total Judgment (Money Award): \$ 449,373.21**

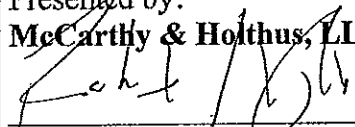
13 Dated: JUN 14 2013  
 14 \_\_\_\_\_ day of \_\_\_\_\_, 2013



15 \_\_\_\_\_  
 16 JUDGE

17 *WBM*

18 Presented by:  
 19 **McCarthy & Holthus, LLP**



20  Casey Pence, OSB #975271  
 21  Ellis W. Wilder, OSB# 124995  
 22  Robert B. Hakari, OSB# 114082  
 23  Amber Norling, OSB# 094593  
 24  Carrie A. Majors-Staab, OSB# 980785  
 25  Chris Fowler, OSB# 052544  
 26  Lisa E. Lear, OSB #852672  
 27 920 SW 3rd Ave, 1st Floor  
 28 Portland, OR 97204  
 Phone: (855) 809-3977  
 Fax: (971) 201-3202  
 Email: rhakari@mccarthyholthus.com  
 Of Attorneys for Plaintiff