

1 After filing return to:
2 Daniel Ross, OSB No. 112979
3 Weinstein & Riley, P.S.
4 2001 Western Avenue, Suite 400
5 Seattle, Washington 98121

6 IN THE CIRCUIT COURT OF THE STATE OF OREGON
7 FOR LANE COUNTY

8 THE BANK OF NEW YORK MELLON
9 FKA THE BANK OF NEW YORK, AS
10 TRUSTEE FOR THE
11 CERTIFICATEHOLDERS OF CWALT,
12 INC., ALTERNATIVE LOAN TRUST 2007-
13 10CB, MORTGAGE PASS-THROUGH
14 CERTIFICATES, SERIES 2007-10CB,

15 Plaintiff,

16 vs.

17 TONY B. NASH; HEIDI M. NASH;
18 MORTGAGE ELECTRONIC
19 REGISTRATION SYSTEMS, INC.,
20 NOMINEE FOR COUNTRYWIDE BANK,
21 FSB; COUNTRYWIDE BANK, FSB;
22 JOHN AND JANE DOES, I THROUGH V,
23 OCCUPANTS OF THE SUBJECT REAL
24 PROPERTY, AND ALL OTHER PERSONS
25 OR PARTIES UNKNOWN, CLAIMING
ANY RIGHT, TITLE, INTEREST, LIEN
OR ESTATE IN THE PROPERTY HEREIN
DESCRIBED,

Defendants.

Case No.: 16CV12102

WRIT OF EXECUTION

(Clerk's Action Required)

TO THE SHERIFF OF LANE COUNTY, OREGON:

WRIT OF EXECUTION - 1

Weinstein & Riley, P.S.
2001 Western Avenue, Suite 400
Seattle, Washington 98121
Telephone: (206) 269-3490
Facsimile: (206) 269-3493

1 WHEREAS, on April 20, 2018, an Amended General Judgment of Foreclosure and
2 Money Award was enrolled and docketed in this cause, a true copy of which is attached
3 and made a part hereof; in favor of Plaintiff, THE BANK OF NEW YORK MELLON
4 FKA THE BANK OF NEW YORK, AS TRUSTEE FOR THE CERTIFICATEHOLDERS
5 OF CWALT, INC., ALTERNATIVE LOAN TRUST 2007-10CB, MORTGAGE PASS-
6 THROUGH CERTIFICATES, SERIES 2007-10CB, whose mailing address is c/o
7 Weinstein & Riley P.S., 2001 Western Ave, Suite 400, Seattle, WA 98121, legally
8 described property as follows:
9

10 BEGINNING AT A POINT 132.54 FEET NORTH 0° 06' WEST FROM A
11 POINT IN THE CENTER OF A 40 FOOT ROADWAY 350.2 FEET NORTH 89°
12 59' EAST FROM A POINT ON THE WEST LINE OF A 40 FOOT WIDE
13 ROADWAY THAT IS 871.2 FEET NORTH 0° 6' WEST FROM A POINT ON
14 THE SOUTH LINE OF THE WILLIAM SPENCER DONATION LAND CLAIM
15 NO. 50 IN TOWNSHIP 17 SOUTH, RANGE 3 WEST OF THE WILLAMETTE
16 MERIDIAN, 4083.5 FEET WEST FROM THE SOUTHEAST CORNER
17 THEREOF, AND RUNNING THENCE NORTH 0° 6' WEST 132.56 FEET;
18 THENCE SOUTH 89° 44' EAST 90.05 FEET THENCE SOUTH 0° 02' 30"
19 EAST 132.33 FEET THENCE NORTH 89° 52' 30" WEST 89.92 FEET TO THE
20 POINT OF BEGINNING IN LANE COUNTY, OREGON.

21 EXCEPTING THEREFROM THE NORTH 25 FEET THEREOF WHICH WAS
22 CONVEYED TO THE LANE COUNTY. ALSO EXCEPT THE SOUTH 15
23 FEET BEING MEASURED PARALLEL TO AND AT RIGHT ANGLES FROM
24 THE SOUTH LINE THEREOF.

25 Also described as:

 BEGINNING AT A POINT 132.54 FEET NORTH 0° 06' WEST FROM A
POINT IN THE CENTER OF A 40 FOOT ROADWAY 350.2 FEET NORTH 78°
59' EAST FROM A POINT ON THE WEST LINE OF A 40 FOOT WIDE
ROADWAY THAT IS 871.2 FEET NORTH 0° 5' WEST FROM A POINT ON
THE SOUTH LINE OF THE WILLIAM SPENCER DONATION LAND CLAIM
NO. 50 IN TOWNSHIP 17 SOUTH, RANGE 3 WEST OF THE WILLAMETTE
MERIDIAN, 4083.5 FEET WEST FROM THE SOUTHEAST CORNER

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

THEREOF, AND RUNNING THENCE NORTH 0° 5' WEST 132.56 FEET;
THENCE SOUTH 89° 44' EAST 90.05 FEET THENCE SOUTH 0° 02' 30"
EAST 132.33 FEET THENCE NORTH 89° 52' 30" WEST 89.92 FEET TO THE
POINT OF BEGINNING IN LANE COUNTY, OREGON.

EXCEPTING THEREFROM THE NORTH 25 FEET THEREOF WHICH WAS
CONVEYED TO THE LANE COUNTY. ALSO EXCEPT THE SOUTH 15
FEET BEING MEASURED PARALLEL TO AND AT RIGHT ANGLES FROM
THE SOUTH LINE THEREOF.

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 on
execution (subject to redemption), all of the interest that defendants had on March 14, 2007,
the date of the Deed of Trust, and also all of the interest that defendants had thereafter, in the
real property described in the judgment, to satisfy the principal judgment amount of
\$125,237.85, together with interest accrued to February 21, 2018, of \$64,974.49, and
thereafter at the per diem rate of \$21.87; other recovery amounts of \$16,505.31; costs and
disbursements in the sum of \$3,436.74, and attorneys' fees of \$2,600.00, which bear interest
at 9% per annum, and the costs of this writ, making due return within 60 days after you
receive this writ. The total amount due on money award including interest as of April 20,
2018, is \$214,022.85.

May 3, 2018

By: Ange Jones
Court Clerk


////
////
///



WRIT OF EXECUTION - 3

Weinstein & Riley, P.S.
2001 Western Avenue, Suite 400
Seattle, Washington 98121
Telephone: (206) 269-3490
Facsimile: (206) 269-3493

1 Presented by:

2 

3 Daniel Ross, OSB No. 112979
4 Attorneys for Plaintiff
5 Weinstein & Riley, P.S.
6 2001 Western Avenue, Suite 400
7 Seattle, Washington 98121
8 DanielR@w-legal.com

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

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

THE BANK OF NEW YORK MELLON FKA
THE BANK OF NEW YORK, AS TRUSTEE
FOR THE CERTIFICATEHOLDERS OF
CWALT, INC., ALTERNATIVE LOAN
TRUST 2007-10CB, MORTGAGE PASS-
THROUGH CERTIFICATES, SERIES 2007-
10CB,

Plaintiff,

vs.

TONY B. NASH; HEIDI M. NASH;
MORTGAGE ELECTRONIC
REGISTRATION SYSTEMS, INC.,
NOMINEE FOR COUNTRYWIDE BANK,
FSB; COUNTRYWIDE BANK, FSB; JOHN
AND JANE DOES, I THROUGH V,
OCCUPANTS OF THE SUBJECT REAL
PROPERTY, AND ALL OTHER PERSONS
OR PARTIES UNKNOWN, CLAIMING ANY
RIGHT, TITLE, INTEREST, LIEN OR
ESTATE IN THE PROPERTY HEREIN
DESCRIBED,

Defendants.

Case No.: 16CV12102

**AMENDED GENERAL JUDGMENT
OF FORECLOSURE**

(Clerk's Action Required)

THIS MATTER came on before the undersigned Judge on the Motion of the Plaintiff
for entry of a General Judgment of Foreclosure. An Order of Default as to All Defendants

AMENDED GENERAL JUDGMENT OF
FORECLOSURE - 1

46766545

WEINSTEIN & RILEY, P.S.

2001 Western Avenue, Suite 400
Seattle, Washington 98121
Telephone: (206) 269-3490
Facsimile: (206) 269-3493

1 was entered on September 4, 2016. A Stipulated Judgment of Foreclosure as to Defendant
2 Mortgage Electronic Registration Systems, Inc., Nominee for Countrywide Bank, FSB was
3 entered on December 27, 2016. An Order authorizing Plaintiff to file an Amended General
4 Judgment of Foreclosure was entered on April, 18, 2017. The Court, having read and
5 considered the Affidavits in support of entry of judgment, and further appearing that said
6 Defendants were not at the time of said service in the military service of the United States;
7 it further appearing that the Defendants are not believed to be financially incapable as
8 defined by ORS 125.005(3), are not minors, a protected or incapacitated person, or a
9 respondent as defined by ORS 125.005.
10

11 NOW, THEREFORE, IT IS HEREBY ORDERED AND ADJUDGED as follows:

12 1. The real property to which this Judgment relates is commonly known as 1077
13 T St, Springfield, OR 97477, situated in Lane County, Oregon, legally described as follows:

14 BEGINNING AT A POINT 132.54 FEET NORTH 0° 06' WEST FROM
15 A POINT IN THE CENTER OF A 40 FOOT ROADWAY 350.2 FEET
16 NORTH 89° 59' EAST FROM A POINT ON THE WEST LINE OF A 40
17 FOOT WIDE ROADWAY THAT IS 871.2 FEET NORTH 0° 6' WEST
18 FROM A POINT ON THE SOUTH LINE OF THE WILLIAM SPENCER
19 DONATION LAND CLAIM NO. 50 IN TOWNSHIP 17 SOUTH,
20 RANGE 3 WEST OF THE WILLAMETTE MERIDIAN, 4083.5 FEET
WEST FROM THE SOUTHEAST CORNER THEREOF, AND
RUNNING THENCE NORTH 0° 6' WEST 132.56 FEET; THENCE
SOUTH 89° 44' EAST 90.05 FEET THENCE SOUTH 0° 02' 30" EAST
132.33 FEET THENCE NORTH 89° 52' 30" WEST 89.92 FEET TO THE
POINT OF BEGINNING IN LANE COUNTY, OREGON.

21 EXCEPTING THEREFROM THE NORTH 25 FEET THEREOF
22 WHICH WAS CONVEYED TO THE LANE COUNTY. ALSO EXCEPT
23 THE SOUTH 15 FEET BEING MEASURED PARALLEL TO AND AT
RIGHT ANGLES FROM THE SOUTH LINE THEREOF.

24 Also described as:

25 AMENDED GENERAL JUDGMENT OF
FORECLOSURE - 2

46766545

WEINSTEIN & RILEY, P.S.

2001 Western Avenue, Suite 400
Seattle, Washington 98121
Telephone: (206) 269-3490
Facsimile: (206) 269-3493

1 BEGINNING AT A POINT 132.54 FEET NORTH 0° 06' WEST FROM A
2 POINT IN THE CENTER OF A 40 FOOT ROADWAY 350.2 FEET
3 NORTH 78° 59' EAST FROM A POINT ON THE WEST LINE OF A 40
4 FOOT WIDE ROADWAY THAT IS 871.2 FEET NORTH 0° 5' WEST
5 FROM A POINT ON THE SOUTH LINE OF THE WILLIAM SPENCER
6 DONATION LAND CLAIM NO. 50 IN TOWNSHIP 17 SOUTH, RANGE
7 3 WEST OF THE WILLAMETTE MERIDIAN, 4083.5 FEET WEST
8 FROM THE SOUTHEAST CORNER THEREOF, AND RUNNING
9 THENCE NORTH 0° 5' WEST 132.56 FEET; THENCE SOUTH 89° 44'
10 EAST 90.05 FEET THENCE SOUTH 0° 02' 30" EAST 132.33 FEET
11 THENCE NORTH 89° 52' 30" WEST 89.92 FEET TO THE POINT OF
12 BEGINNING IN LANE COUNTY, OREGON.

13 EXCEPTING THEREFROM THE NORTH 25 FEET THEREOF WHICH
14 WAS CONVEYED TO THE LANE COUNTY. ALSO EXCEPT THE
15 SOUTH 15 FEET BEING MEASURED PARALLEL TO AND AT RIGHT
16 ANGLES FROM THE SOUTH LINE THEREOF.

17 (hereinafter the "Property").

18 2. The Deed of Trust dated March 14, 2007, was made and delivered by the
19 Defendants, Tony B Nash, and Heidi M Nash, being then the owners of the Property herein
20 described, to Mortgage Electronic Registration Systems, Inc. ("MERS"), a separate
21 corporation acting solely as a nominee for America's Wholesale Lender, and recorded by the
22 Clerk of Lane County, Oregon, on March 23, 2007, as File No. 2007-019403, and is a valid
23 and perfected lien against all of the real property for the amount of Plaintiff's Judgment as
24 provided herein.

25 3. The Deed of Trust was subsequently assigned to Plaintiff, The Bank of New
York Mellon fka The Bank of New York, as Trustee for the Certificateholders of CWALT,
Inc., Alternative Loan Trust 2007-10CB, Mortgage Pass-Through Certificates, Series 2007-

AMENDED GENERAL JUDGMENT OF
FORECLOSURE - 3

46766545

WEINSTEIN & RILEY, P.S.

2001 Western Avenue, Suite 400
Seattle, Washington 98121
Telephone: (206) 269-3490
Facsimile: (206) 269-3493

1 10CB under an Assignment of Deed of Trust dated April 29, 2011, recorded by the Clerk of
2 Lane County, Oregon, on May 6, 2011, as File No. 2011-021552.

3 5. The Note is endorsed in blank by Countrywide Home Loans, Inc. A New
4 York Corporation, Doing Business as America's Wholesale Lender, and Plaintiff, The Bank
5 of New York Mellon Fka The Bank of New York, as Trustee for the Certificateholders of
6 CWALT, Inc., Alternative Loan Trust 2007-10CB, Mortgage Pass-Through Certificates,
7 Series 2007-10CB, is the true and legal holder of said Note, and beneficiary of the Deed of
8 Trust. *Id.*

9
10 6. The interest of each of the Defendants and any successor in the Property is
11 foreclosed and terminated excepting only any statutory right of redemption as provided by
12 Oregon law.

13 7. The lien of the Plaintiff is superior to any interest, lien, or claim of the
14 Defendants and shall remain in effect until issuance of a Sheriff's Deed.

15 8. The Defendants are not entitled to a homestead exception as against
16 Plaintiff's Judgment.

17 9. All rights, title and interest that Defendants Tony B Nash and Heidi M Nash
18 had as of the date of the Deed of Trust, or thereafter acquired in the subject Property, is
19 hereby ordered to be sold by the Lane County Sheriff in accordance with the process for sale
20 upon execution, and the proceeds of sale shall be applied in the following order: first, to the
21 costs of sale; second to the satisfaction of the amounts awarded to Plaintiff herein; third, any
22 surplus, to the Defendants in the priority as their interest may appear or to the Clerk of the
23 Court to be distributed to such party or parties as may establish their right thereto.

24 AMENDED GENERAL JUDGMENT OF
25 FORECLOSURE - 4
46766545

WEINSTEIN & RILEY, P.S.
2001 Western Avenue, Suite 400
Seattle, Washington 98121
Telephone: (206) 269-3490
Facsimile: (206) 269-3493

1 10. Plaintiff shall be entitled to recover any advances that plaintiff may be
2 required to pay after the entry of judgment herein for taxes, assessment, other items
3 constituting liens against the property, insurance and/or repairs for the protection and
4 preservation of the subject property;

5 11. Plaintiff or any other junior lienholders may become the purchaser at the sale
6 of the Property.

7 12. The purchaser at the sale is entitled to such remedies as are available at law
8 or in equity to secure possession.

9 13. The purchaser at the sale may apply to the Court for a writ of assistance if
10 any Defendants or any other party or person holding possession shall refuse to surrender
11 possession to the purchaser immediately on the purchaser's demand for possession.

12 14. Plaintiff is awarded Judgment of the following amounts due and owing under
13 the Note and Deed of Trust:
14

| | | |
|--|-------------|--------------|
| Principal | | \$125,237.85 |
| Prejudgment interest from 1/1/2010 to 2/21/2018 at 6.375% per annum | | \$64,974.49 |
| Other Costs and fees (recoverable) | | \$16,505.31 |
| Property Tax | \$10,281.11 | |
| Hazard Insurance | \$5,098.84 | |
| Property Inspection | \$1,044.50 | |
| Late Charges | \$80.86 | |
| Subtotal (Principal and Costs) | | \$141,743.16 |
| Total (plus prejudgment interest) | | \$206,717.65 |

15
16
17
18
19
20
21
22 15. Attorneys fees and costs are awarded to Plaintiff as follows:

| | | |
|-------|------------------|------------|
| Costs | | \$3,436.74 |
| | Mediation Costs: | \$400.00 |

23
24 AMENDED GENERAL JUDGMENT OF
FORECLOSURE - 5

25 46766545

WEINSTEIN & RILEY, P.S.

2001 Western Avenue, Suite 400
Seattle, Washington 98121
Telephone: (206) 269-3490
Facsimile: (206) 269-3493

| | | | |
|---------------|--|------------|------------|
| | Title Fees: | \$665.00 | |
| | Filing Fees: | \$531.00 | |
| | Recording Fees: | \$206.00 | |
| | Prevailing Party Fee: | \$275.00 | |
| | Process Service: | \$1,359.74 | |
| Attorney Fees | | | \$2,600.00 |
| | Reasonable Fee Amount for Uncontested Judicial Foreclosure | \$2,600.00 | |
| Total | | | \$6,036.74 |

16. Interest shall accrue on Principal Judgment amount of \$125,237.85 at the interest rate of 6.375%, at a per diem rate of \$21.87, from February 21, 2018. Interest shall accrue on the Other Recovery Amounts at the rate of 9.00% per annum from the date of Judgment. Interest shall accrue on Attorneys Fees and Costs totaling \$6,036.74 at the rate of 9.00% per annum from the date of judgment pursuant to ORS 82.010.

17. This Judgment shall not create a personal lien or liability against Defendants Tony B Nash and Heidi M Nash except as is customary or necessary to execute such Judgment and for purposes of redemption. In no event should it be construed as establishing personal liability for any persons whose debt has been extinguished in bankruptcy or by an In Rem order granting relief from stay, but only to foreclose the Deed of Trust mortgage. In the event the proceeds of sale are insufficient to pay the amounts due to Plaintiff, Plaintiff shall not be entitled to any further judgment, including a Judgment for deficiency.

17. Execution may issue for the aggregate amount found due Plaintiff herein as detailed in Paragraphs 14 through 16 (collectively the "Amounts Due"). Plaintiff may credit bid up to the Amounts Due plus such additional amounts as provided by ORS 18.936 or other applicable law.

AMENDED GENERAL JUDGMENT OF
FORECLOSURE - 6

46766545

WEINSTEIN & RILEY, P.S.

2001 Western Avenue, Suite 400
Seattle, Washington 98121
Telephone: (206) 269-3490
Facsimile: (206) 269-3493

1 18. If before sale such amount, including sheriff's fees for the execution, is
 2 tendered to the court and paid to the Clerk, the execution, if issued, shall be recalled and the
 3 effect of the judgment as to the amounts due shall be terminated.

4 19. The Clerk of the Court is hereby ordered to Issue a Writ of Execution in
 5 Foreclosure for the sale of the Property.

6 20. The Court shall retain jurisdiction to enter such additional order or judgment
 7 as necessary to enforce this judgment, the writ of execution or for the purchaser at the
 8 execution sale to obtain possession.
 9

10 **DECLARATION OF AMOUNTS OWING UNDER THE DEED OF TRUST***

| | | | |
|----|----|---|--|
| 11 | a. | Judgment Creditor: | Plaintiff, The Bank of New York Mellon fka The Bank of New York, as Trustee for the Certificateholders of CWALT, Inc., Alternative Loan Trust 2007-10CB, Mortgage Pass-Through Certificates, Series 2007-10CB |
| 12 | | Address for the purpose of this judgment only: | c/o Weinstein & Riley, P.S. 2001 Western Avenue, Suite 400 Seattle, Washington 98121 Telephone: (206) 269-3490 Facsimile: (206) 269-3493 |
| 13 | | Attorney for Judgment Creditor | Weinstein & Riley, P.S. 2001 Western Avenue, Suite 400 Seattle, Washington 98121 Telephone: (206) 269-3490 Facsimile: (206) 269-3493 |
| 14 | b. | Judgment Debtors: | Tony B. Nash and Heidi M. Nash |
| 15 | | A. Address: Tony B. Nash | 320 N Grove Court, Eugene, OR 97404 |
| 16 | | B. Year of date of birth, Tony B. Nash | 1963 |
| 17 | | C. Social Security Number, Tony B. Nash | Last four digits: 7086 |
| 18 | | D. Driver's License State and Numbers | n/a |
| 19 | | E. Attorney for Judgment Debtors | n/a |
| 20 | | A. Address: Heidi M. Nash | 437 S 40 th Street, Springfield, OR 97478 |

24 AMENDED GENERAL JUDGMENT OF
 25 FORECLOSURE - 7

46766545

WEINSTEIN & RILEY, P.S.
 2001 Western Avenue, Suite 400
 Seattle, Washington 98121
 Telephone: (206) 269-3490
 Facsimile: (206) 269-3493

| | | | |
|----|----|---|--|
| 1 | B. | Year of date of birth, Heidi M. Nash | 1976 |
| 2 | C. | Social Security Number, Heidi M. Nash | Last four digits: 6582 |
| 3 | D. | Driver's License State and Numbers | n/a |
| 4 | E. | Attorney for Judgment Debtors | n/a |
| 5 | c. | The name of any person or public body, other than the Judgment Creditor's Attorney, who is entitled to any portion of the judgment; | none |
| 6 | d. | The amount of the judgment exclusive of amounts included in subsection (e) through (h) is: | \$141,743.16 |
| 7 | e. | Prejudgment interest from 1/1/2010 to 2/21/2018 at the rate of 6.375%, with a per diem rate of \$21.87 thereafter | \$64,974.49 |
| 8 | f. | Post-judgment interest: | On Principal Judgment at the rate of 6.375%, at a per diem rate of \$21.87; and on all amounts awarded, at 9.0% per annum pursuant to ORS 82.010 from the date of entry of judgment until the entire amount owing is paid. |
| 9 | g. | Monetary obligations that are payable on a periodic basis, any accrued arrearages, required further payments per period and payment dates | None known. |
| 10 | h. | Costs and disbursements | \$3,436.74 |
| 11 | | Attorney fees in the amount of: | \$2,600.00 |

17 ///

18

19 ///

20

21 ///

22

23 ///

24

25 ///

26

27 ///

28

29 ///

30

31 ///

32

33 ///

34

35 ///

36

37 ///

38

39 ///

40

41 ///

AMENDED GENERAL JUDGMENT OF FORECLOSURE - 8

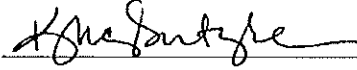
46766545

WEINSTEIN & RILEY, P.S.

2001 Western Avenue, Suite 400
Seattle, Washington 98121
Telephone: (206) 269-3490
Facsimile: (206) 269-3493

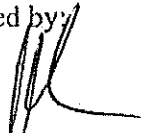
1 *This section is provided to comply with ORS 18.042 and in no event should it be construed
2 as establishing personal liability for any persons whose debt has been extinguished in
3 bankruptcy or by an In Rem order granting relief from stay, but only to foreclose the deed
4 of trust mortgage

Signed: 4/20/2018 09:02 AM



Karrie K. McIntyre, Circuit Court Judge

5
6
7
8 Presented by:



9
10
11 Daniel A. Ross, OSB No. 112979
12 WEINSTEIN & RILEY PS
13 2001 Western Ave Ste 400
14 Seattle, WA 98121
15 (206) 269-3490
16 Attorneys for Plaintiff
17 danielr@w-legal.com
18
19
20
21
22
23

24 AMENDED GENERAL JUDGMENT OF
25 FORECLOSURE - 9

46766545

WEINSTEIN & RILEY, P.S.

2001 Western Avenue, Suite 400
Seattle, Washington 98121
Telephone: (206) 269-3490
Facsimile: (206) 269-3493

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

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

THE BANK OF NEW YORK MELLON FKA
THE BANK OF NEW YORK, AS TRUSTEE
FOR THE CERTIFICATEHOLDERS OF
CWALT, INC., ALTERNATIVE LOAN
TRUST 2007-10CB, MORTGAGE PASS-
THROUGH CERTIFICATES, SERIES 2007-
10CB,

Case No. 16CV12102

CERTIFICATE OF READINESS

UTCR 5.100(2)

Plaintiff,

vs.

TONY B. NASH; HEIDI M. NASH;
MORTGAGE ELECTRONIC
REGISTRATION SYSTEMS, INC.,
NOMINEE FOR COUNTRYWIDE BANK,
FSB; COUNTRYWIDE BANK, FSB; JOHN
AND JANE DOES, I THROUGH V,
OCCUPANTS OF THE SUBJECT REAL
PROPERTY, AND ALL OTHER PERSONS
OR PARTIES UNKNOWN, CLAIMING
ANY RIGHT, TITLE, INTEREST, LIEN OR
ESTATE IN THE PROPERTY HEREIN
DESCRIBED,

Defendants.

Based on the requirements presented in UTCR 5.100(2), Daniel Ross of Weinstein and
Riley, P.S., attorney for the Plaintiff herein, states that the proposed order or judgment is ready
for judicial signature for the following reasons:

Pursuant to UTCR 5.100(2)(b), Plaintiff asserts that this proposed order or judgment is

CERTIFICATE OF READINESS
PURSUANT TO UTCR 5.100(2) - 1

WEINSTEIN & RILEY, P.S.
2001 Western Avenue, Suite 400
Seattle, Washington 98121
Telephone: (206) 269-3490
Facsimile: (206) 269-3493

46766622

1 ready for judicial signature because of the following:

2 1. [] Each opposing party affected by this order or judgment has stipulated to
3 the order or judgment, as shown by each opposing party's signature on the
4 document being submitted.

5 2. [] Each opposing party affected by this order or judgment has approved the
6 order or judgment, as shown by signature on the document being submitted or
7 by written confirmation of approval sent to me.

8 3. [] I have served a copy of this order or judgment on all parties entitled to
9 service and:

10 a. [] No objection has been served on me.

11 b. [] I received objections that I could not resolve with the opposing
12 party despite reasonable efforts to do so. I have filed a copy of the
13 objections I received and indicated which objections remain unresolved.

14 c. [] After conferring about objections, [role and name of opposing
15 party] agreed to independently file any remaining objection.

16 4. [x] The relief sought is against an opposing party who has been found in
17 default.

18 5. [] An order of default is being requested with this proposed judgment.

19 6. [] Service is not required pursuant to subsection (3) of this rule, or by
20 statute, rule, or otherwise. Pursuant to UTCR 5.100(3)(b) "A proposed order or
21 judgment that may be presented *ex parte* by law or rule and is so submitted."

22
23
24
25

1 As the Plaintiff has satisfied the requirements of UTCR 5.100, the attached proposed
2 judgment or order is ready for judicial signature.

3 Executed this 30th day of April, 2018, at Seattle, Washington.



6 Daniel Ross, OSB No. 112979
7 WEINSTEIN & RILEY PS
8 2001 Western Ave Ste 400
9 Seattle, WA 98121
10 (206) 269-3490
11 Attorneys for Plaintiff
12 danielr@w-legal.com