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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.

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

MICHAEL COAD,)	
Plaintiff,)	
)	Case No.: 15CV29025
vs.)	
)	WRIT OF EXECUTION
)	(REAL PROPERTY)
)	
SEAN MOYNIHAN,)	
)	
Defendant)	

TO: SHERIFF OF MULTNOMAH COUNTY:

On or about June 30, 2017, a general judgment and money award was entered in the register for this case in the above-entitled court along with an ORDER TO HAVE REAL PROPERTY SOLD ON EXECUTION, in favor of the plaintiff and against the defendant\.

The mailing address for the judgment creditor is:

Michael Coad
1601 SE 84th Ct.
Vancouver, WA 98664

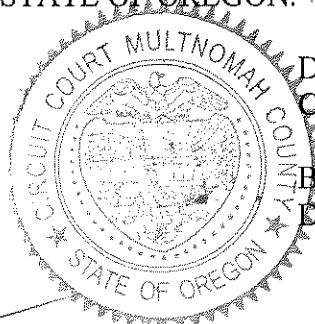
The mailing address for the judgment creditor's attorney:

Kris Carrasco,
Attorney at Law
2300 Main Street,
Vancouver, WA 98660.

1 NOW, THEREFORE, in the name of the State of Oregon, you are hereby directed to
2 proceed to sell under the ORDER TO HAVE REAL PROPERTY SOLD ON EXECUTION in
3 the manner prescribed by law for the sale of real property, all of the interest the defendant has in
4 the real property described below, in the City of Portland, Multnomah County, Oregon to satisfy
5 the principal amount of \$47,500, plus costs and disbursements in the amount of \$348 plus
6 interest at the rate of 12 percent per annum from March 31, 2015 until paid. As of June 15,
7 2018, the total owing under the Judgment is \$91,948.50. Interest continues to accrue at \$22.12
8 per day

9 After the sale, you are directed to issue a certificate of sale to the purchaser and file a
10 return on the writ of execution, depositing the sale proceeds with the Court. Further, you are
11 directed to execute, after the time for redemption has elapsed, a deed to the holder of the
12 certificate of sale.

13 The Real Property's physical address is 4212 NE 78th Street, Portland OR 97218-3928,
14 and legally described as:
15 LOTS 29 AND 30, BLOCK 12, MONTCLAIR, IN THE CITY OF PORTLAND, COUNTY OF
16 MULNOMAH AND STATE OF OREGON.



18 DATED: ~~June 15, 2018~~ 6/28/18
19 COURT ADMINISTRATOR

20 By: _____
21 Deputy

22 Submitted by:

23 
24 Kris Carrasco 086320
25 Attorney for Plaintiff
2300 Main Street
Vancouver, WA 98660
p: (360) 975-4673
f: (360) 938-0005

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4 IN THE CIRCUIT COURT OF THE STATE OF OREGON
5 IN AND FOR THE COUNTY OF MULTNOMAH

6
7 MICHAEL COAD,

No. 15CV29025

8 Plaintiff,

**ORDER TO HAVE REAL PROPERTY
SOLD ON EXECUTION**

9 vs

10 SEAN MOYNIHAN,

11 Defendant.

12
13 This matter, having come before the Court on June 9, 2017, this Court has considered
14 Plaintiff's Motion to Have Real Property Sold on Execution and the Affidavit of Kris Carrasco in
15 Support of Motion for Order Authorizing Sale of Real Property and ORS 18.906, the Court now
16 having conducted a hearing on the motion finds that:

- 17 1. Defendant has been properly notified of the hearing.
18 2. This court has jurisdiction over this matter and the real property belonging to the
19 Defendant, Sean Moynihan, located at 4212 NE 78th Avenue, Portland OR 97218-3928.
20 3. The amount due under the Judgment is for the principal amount of \$47,500 along
21 with an award for prejudgement interest in the amount of \$18,525 and costs and fees of
22 \$348, totalling \$66,373. Interest accrues on that amount at a rate of twelve percent per
23 annum beginning March 31, 2015.

Order to Have Real Property Sold on Execution
15CV29025-1

KRIS CARRASCO Attorney at Law
2300 Main Street
Vancouver, WA 98660
Phone: (360) 975-4673 | Fax (360) 906-0211

1 4. The total amount owing as of June 30, 2017 is \$84,293.71.

2 5. Under ORS 18.395, the Real Property is not Judgment Debtor's homestead.

3 6. No portion of the money award arises out of an order or judgment for child support as
4 described in ORS 18.398.

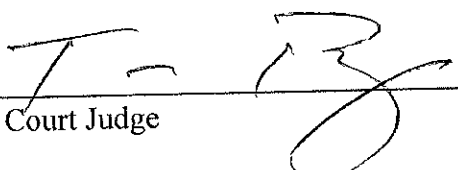
5 7. The Property is subject to liens and encumbrances, some of which are superior to the
6 Judgments.

7
8 THIS COURT NOW HEREBY ORDERS, that the Plaintiff's Motion to Have Real
9 Property Sold on Execution pursuant to ORS 18.906 is granted. Defendant, Sean Moynihan's
10 property located at 4212 NE 78th Ave, Portland, OR 97218-3928 and more specifically described
11 below is to be sold to satisfy the judgment.

12 Lots 29 and 30, Block 12, MONTCLAIR, in the City of Portland, County of Multnomah
13 and State of Oregon.

14 Plaintiff may submit a statement of attorney's fees and costs pursuant to ORCP 68.

15
16 DATED this 30th day of June, 2017.

17
18 
19 _____
20 Circuit Court Judge

19 s/Kris Carrasco

20 Submitted by:

21 Kris Carrasco, OSB #086320

22 Attorney for Plaintiff

23
Order to Have Real Property Sold on Execution
15CV29025-2

KRIS CARRASCO Attorney at Law
2300 Main Street
Vancouver, WA 98660
Phone: (360) 975-4673 | Fax (360) 906-0211

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

<p>MICHAEL COAD,</p> <p>vs</p> <p>SEAN MOYNIHAN</p>	<p>Plaintiff,</p> <p>Defendant.</p>	<p>No. 15CV29025</p> <p>AMENDED</p> <p>MONEY AWARD</p>
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<p>1. Judgment Creditor's Name and Address:</p>	<p>Michael Coad 1601 SE 84th Court, Vancouver, Washington 98664</p>
<p>2. Judgment Creditor's Attorney's Name, Address and Telephone Number:</p>	<p>Kris Carrasco, OSB No. 086320 2300 Main Street, Vancouver, Washington 98660 Telephone: (360) 975-4673</p>
<p>3. Judgment Debtor Information: Last Know Mailing Address:</p> <p>Address Used for Purposes of Service in the Lawsuit:</p>	<p>Sean Moynihan 11941 SE Sunnycreek Lane Clackamas, Oregon 97015</p> <p>11941 SE Sunnycreek Lane Clackamas, Oregon 97015</p>
<p>Date of Birth:</p>	<p>March 26, 1960</p>
<p>4. Money Award Exclusive of Interest:</p>	<p>\$47,500</p>

Money Award

<p>KRIS CARRASCO Attorney at Law 2300 Main Street Vancouver, WA 98660 Voice: (360) 975-4673 Fax (360) 906-0211</p>
--

1 Costs, Disbursements and Attorney's Fees: \$348
2 Pre-Judgment Interest Rate 12%
3 Court Awarded Pre-Judgment Interest Amount: \$18,525
4 Date on which Pre-Judgment Interest Awarded: March 31, 2015
5 Interest Type Simple
6
7 Post-Judgment Interest
8 Interest Rate: 12%
9 Balance Upon Which Interest Accrues: Entire Judgment, Pre-Judgment
10 Interest and Costs and Fees
11 \$66,373
12
13 Interest Start Date: March 31, 2015
14 Judgment Entry Date: March 31, 2015

13 Dated: June 23, 2017

15 /s/Kris Carrasco

16 KRIS CARRASCO,
17 OSB No. 086320
18 Attorney for Plaintiff

19 *to ordered.*

20 *June 30, 2017.*

21 *T-13*
22 *Tom Ryan*
23 *Circuit Judge*

Money Award

KRIS CARRASCO Attorney at Law
2300 Main Street
Vancouver, WA 98660
Voice: (360) 975-4673 | Fax (360) 906-0211

CERTIFICATE OF SERVICE

I certify that I caused to be served the following AMENDED MONEY AWARD on the following recipients:

Sean Moynihan
11941 SE Sunny Creak Ln
Clackamas, OR 97015

and

Joseph Mabe
Brownstein | Rask LLP
1200 SW Main Street
Portland, OR 97205
fax: (503) 221-1074
jmabe@brownsteinrask.com

by having placed a true copy in envelopes addressed to said recipients at the above-listed addresses and depositing the envelopes, with postage prepaid, in the mails of the United States Postal Service in Portland, Oregon. Additionally, I sent true copies by email and facsimile to counsel for Defendant, Joseph Mabe at the address above.

DATED this 26th day of June, 2017.

RESPECTFULLY SUBMITTED

s/ Kris Carrasco
Kris Carrasco, OSB 086320
Attorney for Plaintiff
2300 Main Street
Vancouver, WA 98660
p:(360)975-4673
f:(360)906-0211

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

Plaintiff(s),

VS.

Defendant(s).

) CHALLENGE TO
) EXECUTION
)
) Case No.
)

THIS FORM MAY BE USED BY THE DEBTOR ONLY FOR THE FOLLOWING PURPOSES:

- (1) To claim such exemptions from execution as are permitted by law.
- (2) To assert that the amount specified in the writ of execution as being subject to execution is greater than the total amount owed.

THIS FORM MAY BE USED BY PERSONS OTHER THAN THE DEBTOR ONLY TO CLAIM AN INTEREST IN THE PROPERTY THAT IS TO BE SOLD ON EXECUTION.

THIS FORM MAY NOT BE USED TO CHALLENGE THE VALIDITY OF THE DEBT.

I/We claim that the following described property or money is exempt from execution:

I/We believe this property is exempt from execution because (the Notice of Exempt Property at the end of this form describes most types of property that you can claim as exempt from execution):

I am a person other than the Debtor and I have the following interest in the property:

Name _____ Name _____

Signature _____ Signature _____

Address _____ Address _____

Telephone Number _____ Telephone Number _____
(required): _____ (required): _____

YOU MUST ACT PROMPTLY IF YOU WANT TO GET YOUR MONEY OR PROPERTY BACK.

You may seek to reclaim your exempt property by doing the following:

- (1) Fill out the Challenge to Execution form that you received with this notice.
- (2) Mail or deliver the Challenge to Execution form to the court administrator at the address shown on the writ of execution.
- (3) Mail or deliver a copy of the Challenge to Execution form to the judgment creditor at the address shown on the writ of execution.

You should be prepared to explain your exemption in court. If you have any questions about the execution or debt, you should see an attorney.

YOU MAY USE THE CHALLENGE TO EXECUTION FORM ONLY FOR THE FOLLOWING PURPOSES:

- (1) To claim such exemptions from execution as are permitted by law.
- (2) To assert that the amount specified in the writ of execution as being subject to execution is greater than the total amount owed.

YOU MAY NOT USE THE CHALLENGE TO EXECUTION FORM TO CHALLENGE THE VALIDITY OF THE DEBT.

IF YOU CLAIM AN EXEMPTION IN BAD FAITH, YOU MAY BE SUBJECT TO PENALTIES IMPOSED BY THE COURT THAT COULD INCLUDE A FINE. Penalties that you could be subject to are listed in ORS 18.899.

NOTICE OF EXEMPT PROPERTY

Property belonging to you may have been taken or held in order to satisfy a debt. The debt may be reflected in a judgment or in a warrant or order issued by a state agency. Important legal papers are enclosed.

YOU MAY BE ABLE TO GET YOUR PROPERTY BACK, SO READ THIS NOTICE CAREFULLY.

State and federal law specify that certain property may not be taken. Some of the property that you may be able to get back is listed below.

- (1) Wages or a salary as described in ORS 18.375 and 18.385. Whichever of the following amounts is less:
 - (a) 75 percent of your take-home wages; or
 - (b) \$218 per workweek.
- (2) Social Security benefits.
- (3) Supplemental Security Income (SSI).
- (4) Public assistance (welfare).
- (5) Unemployment benefits.
- (6) Disability benefits (other than SSI benefits).
- (7) Workers' compensation benefits.
- (8) All Social Security Benefits and Supplemental Security Income benefits, and up to \$7,500 in exempt wages, retirement benefits, welfare, unemployment benefits and disability benefits, that are held in a bank account.
- (9) Spousal support, child support or separate maintenance to the extent reasonably necessary for your support or the support of any of your dependents.
- (10) A homestead (house, manufactured dwelling or floating home) occupied by you, or occupied by your spouse, parent or child. Up to \$40,000 of the value of the homestead is exempt. If you jointly own the homestead with another person who is also liable on the debt, up to \$50,000 of the value of the homestead is exempt.
- (11) Proceeds from the sale of a homestead described in item 10, up to the limits described in item 10, if you hold the proceeds for less than one year and intend to use those proceeds to procure another homestead.
- (12) Household goods, furniture, radios, a television set and utensils with a combined value not to exceed \$3,000.
- * (13) An automobile, truck, trailer or other vehicle with a value not to exceed \$3,000.

- *(14) Tools, implements, apparatus, team, harness or library that are necessary to carry on your occupation, with a combined value not to exceed \$5,000.
- *(15) Books, pictures and musical instruments with a combined value not to exceed \$600.
- *(16) Wearing apparel, jewelry and other personal items with a combined value not to exceed \$1,800.
- (17) Domestic animals and poultry for family use with a combined value not to exceed \$1,000 and their food for 60 days.
- (18) Provisions and fuel for your family for 60 days.
- (19) One rifle or shotgun and one pistol. The combined value of all firearms claimed as exempt may not exceed \$1,000.
- (20) Public or private pensions.
- (21) Veterans' benefits and loans.
- (22) Medical assistance benefits.
- (23) Health insurance proceeds and disability proceeds of life insurance policies.
- (24) Cash surrender value of life insurance policies not payable to your estate.
- (25) Federal annuities.
- (26) Other annuities to \$250 per month (excess over \$250 per month is subject to the same exemption as wages).
- (27) Professionally prescribed health aids for you or any of your dependents.
- *(28) Elderly rental assistance allowed pursuant to ORS 310.635.
- *(29) Your right to receive, or property traceable to:
 - *(a) An award under any crime victim reparation law.
 - *(b) A payment or payments, not exceeding a total of \$10,000, on account of personal bodily injury suffered by you or an individual of whom you are a dependent.
 - *(c) A payment in compensation of loss of future earnings of you or an individual of whom you are or were a dependent, to the extent reasonably necessary for your support and the support of any of your dependents.
- (30) Amounts paid to you as an earned income tax credit under federal tax law.
- (31) Your right to the assets held in, or right to receive payments under, a medical savings account or health savings account authorized under section 220 or 223 of the Internal Revenue Code.
- (32) Interest in personal property to the value of \$400, but this cannot be used to increase the amount of any other exemption.
- (33) Equitable interests in property.

Note: If two or more people in your household owe the claim or judgment, each of them may claim the exemptions marked by an asterisk (*).

SPECIAL RULES APPLY FOR DEBTS THAT ARE OWED FOR CHILD SUPPORT AND SPOUSAL SUPPORT. Some property that may not otherwise be taken for payment against the debt may be taken to pay for overdue support. For instance, Social Security benefits, workers' compensation benefits, unemployment benefits, veterans' benefits and pensions are normally exempt, but only 75 percent of a lump sum payment of these benefits is exempt if the debt is owed for a support obligation.