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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.

2019 JAN 14 PM 2:00

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

U.S. BANK NATIONAL ASSOCIATION, AS TRUSTEE, ON BEHALF OF THE HOLDERS OF THE HOME EQUITY ASSET TRUST 2006-7 HOME EQUITY PASS THROUGH CERTIFICATES, SERIES 2006-7,

Case No.: 1307-10605

Plaintiff,

WRIT OF EXECUTION IN FORECLOSURE

Assigned to Hon. Judge Leslie Roberts

vs.

ROBERT J. LARRY; STATE OF OREGON; DISCOVER FINANCIAL SERVICES, INC.; FOX CAPITAL CORP. A WASHINGTON CORPORATION; OCCUPANTS OF THE PROPERTY; THE UNITED STATES OF AMERICA,

Defendants.

**TO THE MULTNOMAH COUNTY SHERIFF:**

A Judgment of Foreclosure was entered and docketed in this case on 9/6/2016. A true copy of the Judgment is attached hereto. The Judgment was entered in favor of the Plaintiff:

U.S. BANK NATIONAL ASSOCIATION, AS TRUSTEE, ON BEHALF OF THE HOLDERS OF THE HOME EQUITY ASSET TRUST 2006-7 HOME EQUITY PASS THROUGH CERTIFICATES, SERIES 2006-7  
c/o Jeremy Clifford  
Attorney for Plaintiff

McCarthy & Holthus, LLP  
920 SW 3rd Ave, 1st Floor  
Portland, OR 97204

With the adjudicated amount due of \$398,549.02, plus pre judgment interest at the contract rate of 9.3% per annum, \$79.26 per diem, from 5/25/2016 through 9/5/2016 in the

1 amount of \$8,243.04, plus post judgment interest at the contract rate of 9.3% per annum from  
2 9/6/2016 to 12/7/2018 in the amount of \$85,198.97, continuing with a per diem of \$103.65, plus  
3 the supplemental judgment with the effective date of 8/2/2017 in the amount of \$473.00, and  
4 post supplemental judgment interest at the rate of 9.0% from 8/2/2017 through 12/7/2018 in the  
5 amount of \$57.38, continuing with a per diem of \$0.12, currently totaling \$492,521.42.

6  
7 **NOW, THEREFORE, IN THE NAME OF THE STATE OF OREGON**, you are  
8 hereby commanded to sell, in the manner prescribed by law for the sale of real property on  
9 execution (subject to redemption of 180 days), all of the interest that the Defendant had on or  
10 about May 26, 2006, the date of the Deed of Trust, and also the interest that the Defendant had  
11 thereafter, in the real property described as follows:

12 *Attached as Exhibit 1*

13 Having APN #R208484 and commonly known as (street address): 6114 N Kerby Ave, Portland,  
14 OR 97217.

15  
16 Sale of the property is to satisfy the sum listed above, plus the costs incurred in  
17 performing this Writ. Pursuant to ORS 18.872, you are authorized to continue execution under  
18 the writ and delay making a return on the writ to no later than 150 days from receipt of the writ.  
19 You are to make the return within 60 days after you receive this Writ. Should the sale be  
20 continued, the writ may be automatically extended for 30 days.

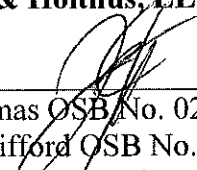


1/3/19

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Dated: 02/5/18 and submitted by:

**McCarthy & Holthus, LLP**

  
\_\_\_\_\_  
John Thomas OSB No. 024691  
X Jeremy Clifford OSB No. 142987  
920 SW 3rd Ave, 1st Floor  
Portland, OR 97204  
Phone: (971) 201-3200  
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jclifford@mccarthyholthus.com  
Of Attorneys for Plaintiff

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# Exhibit 1

LOT 18, BLOCK 1, LONGWOOD, PORTLAND, MULTNOMAH COUNTY, OREGON.

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

U.S. BANK NATIONAL ASSOCIATION,  
AS TRUSTEE, ON BEHALF OF THE  
HOLDERS OF THE HOME EQUITY  
ASSET TRUST 2006-7 HOME EQUITY  
PASS THROUGH CERTIFICATES,  
SERIES 2006-7,

Plaintiff,

v.

ROBERT J. LARRY; STATE OF  
OREGON; DISCOVER FINANCIAL  
SERVICES, INC.; FOX CAPITAL CORP.  
A WASHINGTON CORPORATION;  
OCCUPANTS OF THE PROPERTY; THE  
UNITED STATES OF AMERICA,

Defendants.

No. 130710605

GENERAL JUDGMENT OF  
FORECLOSURE

Assigned to Hon. Judge Leslie Roberts

STOEL RIVES LLP  
760 SW Ninth Avenue, Suite 3000, Portland, OR 97205  
Main (503) 224-3380 Fax (503) 220-2480

This matter having come before the Court on Plaintiff U.S. Bank National Association, As Trustee, on Behalf of the Holders of the Home Equity Asset Trust 2006-7 Home Equity Pass Through Certificates, Series 2006-7 ("Plaintiff") seeking entry of a general judgment of foreclosure against defendant Robert J. Larry ("Larry"), the State of Oregon ("State"), Discover Financial Services, Inc. ("Discover"), Fox Capital Corp. A Washington Corporation ("Fox"), and the United States of America ("USA") (collectively, "Defaulting Defendants"). An order of default was entered against the Defaulting Defendants on April 1, 2014. An order granting summary judgment in Plaintiff's favor on its affirmative foreclosure claim and against Defendant Larry's affirmative defenses and counterclaim was entered on July 5, 2016, and that order moots the motion to dismiss filed

1 by Defendant Larry on June 13, 2016. The Court subsequently entered an order granting  
2 Plaintiff's motion for entry of judgment and for dismissal of Defendant Occupants of the  
3 Property.

4 The Court being fully advised and finding no just reason for delay of entry of a  
5 General Judgment, it is hereby ORDERED AND ADJUDGED that judgment is entered as  
6 follows:

7 1. That Defendant Larry's affirmative defenses and counterclaim are dismissed  
8 with prejudice.

9 2. That Defendant Occupants of the Property are dismissed from this action.

10 3. That amount due and owing on the Note is as follows: the principal sum of  
11 \$311,071.32, plus accrued and unpaid interest of \$66,508.53, plus interest from and after  
12 April 13, 2016 until paid at a current rate of 9.3 percent per annum, plus escrow advance in  
13 the sum of \$21,727.07, less an unapplied balance of \$757.90, plus Plaintiff's attorneys' fees  
14 and costs incurred herein, plus post-judgment interest ~~at the statutory rate of nine percent per~~  
15 ~~annum until paid.~~ at the contract rate because this is not interest on a money judgment.

16 4. That the deed of trust dated May 26, 2006 granted by Defendant Larry  
17 recorded in the real property records of Multnomah County, Oregon on June 6, 2006 as  
18 Instrument No. 2006-103711 ("Trust Deed"), and assigned to Plaintiff by way of an  
19 Assignment of Deed of Trust recorded in the real property records of Multnomah County,  
20 Oregon on December 28, 2007 as Instrument No. 2007-219760 ("Assignment") is a valid  
21 first lien on the real property in Clackamas County, Oregon that is the subject of this action  
22 described as:

23 Lot 18, Block 1, LONGWOOD, Portland, Multnomah County, Oregon  
24 and more commonly described as 6114 North Kerby Avenue, Portland, Oregon 97217 in  
25 Multnomah County, Oregon ("Property") is superior to the interest of all Defendants for the  
26 amount of the judgment awarded in paragraph 1 above.

1           5.       That Plaintiff's Trust Deed be foreclosed on the Property and sold by the  
2 Sheriff of Multnomah County, Oregon, in the manner provided by law for the sale of real  
3 property on execution;

4           6.       That any party to this action be allowed to bid at a foreclosure sale; that the  
5 purchaser at the foreclosure sale be placed in immediate possession of the Property; that if  
6 possession thereof is refused the purchaser, that a Writ of Assistance may be issued forthwith  
7 out of this Court to place the purchaser in immediate possession; that the Sheriff give to the  
8 purchaser of the Real Property a Certificate of Sale and, after the time allowed by law for  
9 redemption, unless the Real Property be redeemed; a Sheriff's Deed;

10          7.       That the proceeds of sale be applied as follows:

- 11           a.       In payment of the costs and expenses of the sale;  
12           b.       In satisfaction of the ~~judgment awarded~~ <sup>debt declared</sup> in paragraph 3 above; and  
13           c.       The balance, if any, to be paid to the Clerk of the Court to be disbursed  
14                    in the manner provided by law;

15          8.       That Defendants and all persons claiming by, through, or under them as  
16 purchasers, encumbrancers, or otherwise are forever foreclosed of all interest, lien or claim in  
17 the real property and every portion thereof, excepting only any statutory right of redemption  
18 as Defendants may have therein;

19          9.       None of the Defendants are entitled to a homestead exemption as against the  
20 Trust Deed;

21          10.       That upon sale of the Property, all of Plaintiff's judgment remedies for  
22 collection of any unsatisfied amounts shall expire.

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**DECLARATION OF DEBT AMOUNT SECURED<sup>1</sup>**

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1. Judgment Creditor: U.S. Bank National Association, as Trustee, on Behalf of the Holders of the Home Equity Asset Trust 2006-7 Home Equity Pass Through Certificates, Series 2006-7, c/o Select Portfolio Servicing, Inc. 3217 S. Decker Lake Dr. Salt Lake City, UT 84119 Phone: (801) 293-1883 Fax: (801) 293-2555
2. Judgment Creditor's Attorney: Amy Edwards, OSB No. 012492 Crystal S. Chase, OSB No. 093104 Stoel Rives LLP 760 SW Ninth Ave, Suite 3000 Portland, OR 97204 Telephone: (503) 294-9586 Email: amy.edwards@stoel.com
3. Other persons or public bodies who are entitled to any portion of a payment made on this judgment: None
4. Amount Due and Owing: \$398,549.02  
(the principal sum of \$311,071.32, plus accrued and unpaid interest as of May 25, 2016 in the sum of \$66,508.53, plus interest from and after April 13, 2016 until paid at a current rate of 9.3 percent per annum, plus an escrow advance in the sum of \$21,727.07, less a suspense balance of \$757.90)
5. Prejudgment Interest: N/A
6. Attorneys' Fees Awarded To be determined pursuant to ORCP 68
7. Costs Awarded: To be determined pursuant to ORCP 68

<sup>1</sup> Pursuant to amendments to ORS 88.010 made by Section 4 of Senate Bill 368 (2015), assigned to Or Laws 2015, ch 291.



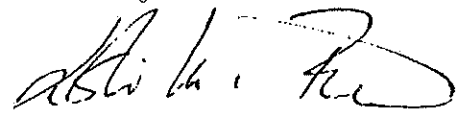
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8. Post-judgment interest:

~~Post-judgment interest at the rate of 9 percent per annum as to item 4 above from the date of entry of judgment until fully paid.~~

at contract rate. Signed: 8/30/2016 04:35 PM



**Circuit Court Judge Leslie Roberts**

Submitted By:  
Crystal S. Chase, OSB No. 093104  
Amy Edwards, OSB No. 012492  
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