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

MIDFIRST BANK,

Plaintiff,

vs.

UNKNOWN HEIRS AND DEVISEES JOAN L. BASZLER; UNKNOWN HEIRS AND DEVISEES OF SAMMY BASZLER; LAVONNE GROGAN; JODY BASZLER; GARY BASZLER; UNKNOWN HEIRS AND DEVISEES OF RICHARD A BASZLER; CAPITAL ONE BANK (USA), NATIONAL ASSOCIATION; MOUNTAIN VIEW MOBILE HOME ESTATES; OCCUPANTS OF THE PROPERTY,

Defendants.

Case No.: 21CV36808

WRIT OF EXECUTION IN FORECLOSURE

TO THE LANE COUNTY SHERIFF:

A Judgment of Foreclosure was entered and docketed in this case on April 8, 2022. A true copy of the Judgment is attached hereto. The Judgment was entered in favor of the Plaintiff:

MIDFIRST BANK
c/o Michael Scott
Attorney for Plaintiff

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

With the adjudicated amount due of \$148,835.30, prejudgment interest in the amount of \$1,041.66, plus post judgment interest \$1,761.56 at the statutory rate of 9.0% per annum from April 8, 2022 to 5/27/22 in the amount of \$1,761.56, and continuing with a per diem of \$36.70, currently totaling \$151,638.52.

1 NOW, THEREFORE, IN THE NAME OF THE STATE OF OREGON, you are
2 hereby commanded to sell, in the manner prescribed by law for the sale of real property on
3 execution (subject to redemption of 180 days), all of the interest that the Defendant had on or
4 about July 10, 2008, the date of the Deed of Trust, and also the interest that the Defendant had
5 thereafter, in the real property described as follows:

6 PARCEL I:
7 Lot 15, Block 5, MOUNTAIN VIEW MOBILE HOME ESTATES, as platted and recorded in File
8 73, Slides 405 and 406, Lane County Oregon Plat Records, in Lane County, Oregon.

9 PARCEL II:
10 The East one-half of the Lot 16, Block 5, MOUNTAIN VIEW MOBILE HOME ESTATES, as
11 platted and recorded in File 73, Slides 405 and 406, Lane County Oregon Plat Records, in Lane
12 County, Oregon.

13 and commonly known as: 5660 Daisy St 66, Springfield, OR 97478.

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

19 DATED: 27th day of May, 2022



20 Court Clerk
Title
21 Coby Edwards

22 Dated: _____ and submitted by
23 McCarthy & Holthus, LLP
24 s/Grace Chu

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John Thomas OSB No. 024691
Michael Scott OSB No. 973947
X Grace Chu OSB No. 220848
920 SW 3rd Ave, 1st Floor
Portland, OR 97204
Phone: (971) 201-3200
Fax: (971) 201-3202
mscott@mccarthyholthus.com
Of Attorneys for Plaintiff

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

MIDFIRST BANK,

Plaintiff,

vs.

UNKNOWN HEIRS AND DEWISEES
JOAN L. BASZLER; UNKNOWN HEIRS
AND DEWISEES OF SAMMY BASZLER;
LAVONNE GROGAN; JODY BASZLER;
GARY BASZLER; UNKNOWN HEIRS
AND DEWISEES OF RICHARD A
BASZLER; CAPITAL ONE BANK (USA),
NATIONAL ASSOCIATION; MOUNTAIN
VIEW MOBILE HOME ESTATES;
OCCUPANTS OF THE PROPERTY

Defendants.

Case No.: 21CV36808

GENERAL JUDGMENT OF
FORECLOSURE AND DECLARATORY
RELIEF

1.

THIS MATTER came before the Court on Plaintiff's motion. All Defendants ("Defaulted Defendants") were duly served with process and failed to appear; the default has been entered against Defaulted Defendants, and it appearing that Defaulted Defendants are not incapacitated, protected persons, respondents as defined in ORS 125.005, minors, or in the military service of the United States.

2.

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

- a. The real property to which this judgment relates is located and situated in Lane County, Oregon, and is commonly known as 5660 Daisy St Space 66, Springfield, OR 97478 (the "Subject Property"), legally described as :

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PARCEL I:

Lot 15, Block 5, MOUNTAIN VIEW MOBILE HOME ESTATES, as platted and recorded in File 73, Slides 405 and 406, Lane County Oregon Plat Records, in Lane County, Oregon.

PARCEL II:

The East one-half of the Lot 16, Block 5, MOUNTAIN VIEW MOBILE HOME ESTATES, as platted and recorded in File 73, Slides 405 and 406, Lane County Oregon Plat Records, in Lane County, Oregon.

b. Plaintiff is entitled to enforce the note dated July 10, 2008 and made, delivered, and executed by Joan L Baszler to GB Mortgage LLC in the amount of \$113,627.00 (the "Note"). The Note was transferred to Plaintiff by delivery of possession and by indorsement set forth on the Note.

c. A deed of trust was made, executed, and delivered by Defendant JOAN L BASZLER on or about July 10, 2008 (the "Deed of Trust"). The Deed of Trust was recorded on July 21, 2008 as Instrument No. 2008-042209 in the official records of Lane County, Oregon. The Deed of Trust is a valid and perfected lien against all of the Property for and securing the Amount Due. The lien of the Plaintiff is superior to any interest, lien, or claim of the Defendants and shall remain in effect until issuance of a Sheriff's Deed.

d. The Mobile Home identified as a 1990 SKYLINE OAK SPRINGS 2635A mobile home, located at 5660 Daisy St Space 66, Springfield, OR 97478, Lane County, Oregon, is declared affixed to and not functionally severable from the Subject Property. The Mobile Home is declared de-titled to become a part of the real property to which it is affixed, and Plaintiff holds a valid and enforceable security interest in the Mobile Home. Pursuant to ORS 88.040, this action does not constitute an action instituted to recover a debt.

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1 e. The Borrower failed to make the payment that was due for May 1, 2018 and has not cured
2 the default. The amount of debt secured by the Deed of Trust that is now due and owing is
3 comprised of the following amounts (the "Amount Due"):

4	a) Unpaid principal balance:	\$97,270.75
5	b) Prejudgment interest accruing from	\$25,716.63
6	4/1/2018 through 3/28/2022 and	
7	continuing until the entry of	
8	judgment at the current Note rate of	
9	6.6250%:	
10	c) Additional amounts due under the	\$21,071.50
11	terms of the loan:	
12	d) Attorney fees and costs:	\$4,691.42
13	e) Prevailing party fee (ORS 20.190	\$85.00
14	(1)(b)(A)):	
15	Total:	\$148,835.30

16 Pursuant to ORS 82.010 (2), post-judgment interest shall accrue on the Amount Due from the
17 date of entry of this judgment through the sale of the Subject Property at the rate of 9.00%
18 per annum.

19 f. The interest of the Defendants and any successor in interest in the Subject Property is
20 foreclosed and terminated excepting only any statutory right of redemption as provided by
21 Oregon law.

22 g. The Defendant is not entitled to a homestead exception as against Plaintiff's judgment.

23 h. All right, title and interest in the Subject Property that Defendant(s) JOAN L BASZLER had
24 as of the date of the Deed of Trust or thereafter acquired is hereby ordered to be sold by the
25 Lane County Sheriff's Office in accordance with the process for sale upon execution, and the
26 proceeds of sale shall be applied:

- 27 1) First, to the costs of sale not incurred by Plaintiff;
- 28 2) Second, to the Amount Due, plus post-judgment interest accruing from the date of
entry of judgment through the date of the sale and any incurred costs of sale;

1 3) Third, the surplus, if any, to the Defendants in the priority as their interest may
2 appear, described *infra*, or to the clerk of the court to be distributed by the Court to
3 such party or parties as they may establish their right thereto.

4 i. Plaintiff may become purchaser at the sale of the Subject Property and, pursuant to ORS
5 18.936 (2), may credit bid up to the Amount Due, plus post-judgment interest accruing from
6 the date of entry of judgment through the date of the sale and any incurred costs of sale.

7 j. The purchaser at the sale is entitled to exclusive and immediate possession of the Subject
8 Property from and after the date of the sale and is entitled to such remedies as are available at
9 law or in equity to secure possession. The purchaser at the sale may apply to the Court for a
10 writ of assistance if any Defendant, other party, or other person shall refuse to surrender
11 possession to the purchaser immediately upon the purchaser's demand for possession.

12 k. In the event the proceeds of sale are insufficient to pay the Amount Due, Plaintiff shall not be
13 entitled to any further or other judgment, including a judgment for the deficiency.

14 l. If, before the sale, the Amount Due is brought into court and paid to the clerk, the execution,
15 if issued, shall be recalled and the effect of the judgment as to the Amount Due shall be
16 terminated.

17 m. Pursuant to ORS 18.950 (4), the apparent priority of liens subsequent and inferior to the
18 Deed of Trust are as follows:

19 a.) Defendants Unknown Heirs And Devisees of Joan L. Baszler; Unknown Heirs And
20 Devisees Of Sammy Baszler; Lavonne Grogan; Jody Baszler; Gary Baszler; Unknown
21 Heirs And Devisees Of Richard A Baszler may claim a junior interest in the Property by
virtue of intestate succession, devise or operation of law;

22 b.) Defendant Capital One Bank (USA), National Association may have a junior interest in
23 the Property by virtue of a Judgment entered on 10/12/2011 in case number 121112197 in
the Circuit Court of the State of Oregon for the County of Lane.

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c.) Defendant Mountain View Mobile Home Estates may have a junior interest in the Property by virtue of the Covenants, Conditions, Restrictions, and/or Easements of Mountain View Mobile Home Estates, recorded on 8/4/2016 as Instrument No. 2016-037418 in the official records of Lane County, Oregon, and amended on 6/12/2019 as Instrument Number 2019-023220

4/7/2022 12:34:48 PM



Charles D. Carlson, Circuit Court Judge

I hereby certify that the requirements of UTCR 5.100 have been satisfied.

This proposed General Judgment Of Foreclosure and Declaratory Relief is ready for judicial signature because:

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

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

I have served a copy of this order or judgment on all parties entitled to service and:

No objection has been served on me.

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

After conferring about objections, _____ agreed to independently file any remaining objection.

The relief sought is against an opposing party who has been found in default.

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- An order of default is being requested with this proposed judgment.
- Service is not required pursuant to subsection (3) of this rule, or by statute, rule, or otherwise.
- This is a proposed judgment that includes an award of punitive damages and notice has been served on the Director of the Crime Victims' Assistance Section as required by subsection (4) of this rule.
- Other: _____

Dated March 29, 2022 and submitted by:

McCarthy & Holthus, LLP

s/ Michael Scott

Michael Scott OSB No. 973947
920 SW 3rd Ave, 1st Floor
Portland, OR 97204
Phone: (971) 201-3200
Fax: (971) 201-3202
mscott@mccarthyholthus.com
Of Attorneys for Plaintiff

Verified Correct Copy of Original 5/27/2022.

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

MIDFIRST BANK,
Plaintiff,

vs.

UNKNOWN HEIRS AND DEVISEES JOAN
L. BASZLER; UNKNOWN HEIRS AND
DEVISEES OF SAMMY BASZLER;
LAVONNE GROGAN; JODY BASZLER;
GARY BASZLER; UNKNOWN HEIRS AND
DEVISEES OF RICHARD A BASZLER;
CAPITAL ONE BANK (USA), NATIONAL
ASSOCIATION; MOUNTAIN VIEW
MOBILE HOME ESTATES; OCCUPANTS
OF THE PROPERTY,
Defendants.

Case No.: 21CV36808

WRIT OF EXECUTION IN
FORECLOSURE

TO THE LANE COUNTY SHERIFF:

A Judgment of Foreclosure was entered and docketed in this case on April 8, 2022. A true copy of the Judgment is attached hereto. The Judgment was entered in favor of the Plaintiff:

MIDFIRST BANK
c/o Michael Scott
Attorney for Plaintiff

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

With the adjudicated amount due of \$148,835.30, prejudgment interest in the amount of \$1,041.66, plus post judgment interest \$1,761.56 at the statutory rate of 9.0% per annum from April 8, 2022 to 5/27/22 in the amount of \$1,761.56, and continuing with a per diem of \$36.70, currently totaling \$151,638.52.

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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 of 180 days), all of the interest that the Defendant had on or about July 10, 2008, the date of the Deed of Trust, and also the interest that the Defendant had thereafter, in the real property described as follows:

PARCEL I:
Lot 15, Block 5, MOUNTAIN VIEW MOBILE HOME ESTATES, as platted and recorded in File 73, Slides 405 and 406, Lane County Oregon Plat Records, in Lane County, Oregon.

PARCEL II:
The East one-half of the Lot 16, Block 5, MOUNTAIN VIEW MOBILE HOME ESTATES, as platted and recorded in File 73, Slides 405 and 406, Lane County Oregon Plat Records, in Lane County, Oregon.

and commonly known as: 5660 Daisy St 66, Springfield, OR 97478.

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

DATED: 27th day of May, 2022



Court Clerk
Title
Cebay Edwards

Dated: _____ and submitted by
McCarthy & Holthus, LLP
s/Grace Chu

Verified Correct Copy of Original 5/27/2022.

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John Thomas OSB No. 024691
Michael Scott OSB No. 973947
X Grace Chu OSB No. 220848
920 SW 3rd Ave, 1st Floor
Portland, OR 97204
Phone: (971) 201-3200
Fax: (971) 201-3202
mscott@mccarthyholthus.com
Of Attorneys for Plaintiff

Verified Correct Copy of Original 5/27/2022.

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

MIDFIRST BANK,

Plaintiff,

vs.

UNKNOWN HEIRS AND DEVISEES
JOAN L. BASZLER; UNKNOWN HEIRS
AND DEVISEES OF SAMMY BASZLER;
LAVONNE GROGAN; JODY BASZLER;
GARY BASZLER; UNKNOWN HEIRS
AND DEVISEES OF RICHARD A
BASZLER; CAPITAL ONE BANK (USA),
NATIONAL ASSOCIATION; MOUNTAIN
VIEW MOBILE HOME ESTATES;
OCCUPANTS OF THE PROPERTY

Defendants.

Case No.: 21CV36808

GENERAL JUDGMENT OF
FORECLOSURE AND DECLARATORY
RELIEF

1.

THIS MATTER came before the Court on Plaintiff's motion. All Defendants ("Defaulted Defendants") were duly served with process and failed to appear; the default has been entered against Defaulted Defendants, and it appearing that Defaulted Defendants are not incapacitated, protected persons, respondents as defined in ORS 125.005, minors, or in the military service of the United States.

2.

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

- a. The real property to which this judgment relates is located and situated in Lane County, Oregon, and is commonly known as 5660 Daisy St Space 66, Springfield, OR 97478 (the "Subject Property"), legally described as :

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PARCEL I:

Lot 15, Block 5, MOUNTAIN VIEW MOBILE HOME ESTATES, as platted and recorded in File 73, Slides 405 and 406, Lane County Oregon Plat Records, in Lane County, Oregon.

PARCEL II:

The East one-half of the Lot 16, Block 5, MOUNTAIN VIEW MOBILE HOME ESTATES, as platted and recorded in File 73, Slides 405 and 406, Lane County Oregon Plat Records, in Lane County, Oregon.

b. Plaintiff is entitled to enforce the note dated July 10, 2008 and made, delivered, and executed by Joan L Baszler to GB Mortgage LLC in the amount of \$113,627.00 (the "Note"). The Note was transferred to Plaintiff by delivery of possession and by indorsement set forth on the Note.

c. A deed of trust was made, executed, and delivered by Defendant JOAN L BASZLER on or about July 10, 2008 (the "Deed of Trust"). The Deed of Trust was recorded on July 21, 2008 as Instrument No. 2008-042209 in the official records of Lane County, Oregon. The Deed of Trust is a valid and perfected lien against all of the Property for and securing the Amount Due. The lien of the Plaintiff is superior to any interest, lien, or claim of the Defendants and shall remain in effect until issuance of a Sheriff's Deed.

d. The Mobile Home identified as a 1990 SKYLINE OAK SPRINGS 2635A mobile home, located at 5660 Daisy St Space 66, Springfield, OR 97478, Lane County, Oregon, is declared affixed to and not functionally severable from the Subject Property. The Mobile Home is declared de-titled to become a part of the real property to which it is affixed, and Plaintiff holds a valid and enforceable security interest in the Mobile Home. Pursuant to ORS 88.040, this action does not constitute an action instituted to recover a debt.

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1 e. The Borrower failed to make the payment that was due for May 1, 2018 and has not cured
2 the default. The amount of debt secured by the Deed of Trust that is now due and owing is
3 comprised of the following amounts (the "Amount Due"):

4	a) Unpaid principal balance:	\$97,270.75
5	b) Prejudgment interest accruing from	\$25,716.63
6	4/1/2018 through 3/28/2022 and	
7	continuing until the entry of	
8	judgment at the current Note rate of	
9	6.6250%:	
10	c) Additional amounts due under the	\$21,071.50
11	terms of the loan:	
12	d) Attorney fees and costs:	\$4,691.42
13	e) Prevailing party fee (ORS 20.190	\$85.00
14	(1)(b)(A)):	
15	Total:	\$148,835.30

16 Pursuant to ORS 82.010 (2), post-judgment interest shall accrue on the Amount Due from the
17 date of entry of this judgment through the sale of the Subject Property at the rate of 9.00%
18 per annum.

19 f. The interest of the Defendants and any successor in interest in the Subject Property is
20 foreclosed and terminated excepting only any statutory right of redemption as provided by
21 Oregon law.

22 g. The Defendant is not entitled to a homestead exception as against Plaintiff's judgment.

23 h. All right, title and interest in the Subject Property that Defendant(s) JOAN L BASZLER had
24 as of the date of the Deed of Trust or thereafter acquired is hereby ordered to be sold by the
25 Lane County Sheriff's Office in accordance with the process for sale upon execution, and the
26 proceeds of sale shall be applied:

- 27 1) First, to the costs of sale not incurred by Plaintiff;
- 28 2) Second, to the Amount Due, plus post-judgment interest accruing from the date of
entry of judgment through the date of the sale and any incurred costs of sale;

1 3) Third, the surplus, if any, to the Defendants in the priority as their interest may
2 appear, described *infra*, or to the clerk of the court to be distributed by the Court to
3 such party or parties as they may establish their right thereto.

4 i. Plaintiff may become purchaser at the sale of the Subject Property and, pursuant to ORS
5 18.936 (2), may credit bid up to the Amount Due, plus post-judgment interest accruing from
6 the date of entry of judgment through the date of the sale and any incurred costs of sale.

7 j. The purchaser at the sale is entitled to exclusive and immediate possession of the Subject
8 Property from and after the date of the sale and is entitled to such remedies as are available at
9 law or in equity to secure possession. The purchaser at the sale may apply to the Court for a
10 writ of assistance if any Defendant, other party, or other person shall refuse to surrender
11 possession to the purchaser immediately upon the purchaser's demand for possession.

12 k. In the event the proceeds of sale are insufficient to pay the Amount Due, Plaintiff shall not be
13 entitled to any further or other judgment, including a judgment for the deficiency.

14 l. If, before the sale, the Amount Due is brought into court and paid to the clerk, the execution,
15 if issued, shall be recalled and the effect of the judgment as to the Amount Due shall be
16 terminated.

17 m. Pursuant to ORS 18.950 (4), the apparent priority of liens subsequent and inferior to the
18 Deed of Trust are as follows:

19 a.) Defendants Unknown Heirs And Devisees of Joan L. Baszler; Unknown Heirs And
20 Devisees Of Sammy Baszler; Lavonne Grogan; Jody Baszler; Gary Baszler; Unknown
21 Heirs And Devisees Of Richard A Baszler may claim a junior interest in the Property by
virtue of intestate succession, devise or operation of law;

22 b.) Defendant Capital One Bank (USA), National Association may have a junior interest in
23 the Property by virtue of a Judgment entered on 10/12/2011 in case number 121112197 in
the Circuit Court of the State of Oregon for the County of Lane.

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c.) Defendant Mountain View Mobile Home Estates may have a junior interest in the Property by virtue of the Covenants, Conditions, Restrictions, and/or Easements of Mountain View Mobile Home Estates, recorded on 8/4/2016 as Instrument No. 2016-037418 in the official records of Lane County, Oregon, and amended on 6/12/2019 as Instrument Number 2019-023220

4/7/2022 12:34:48 PM



Charles D. Carlson, Circuit Court Judge

I hereby certify that the requirements of UTCR 5.100 have been satisfied.

This proposed General Judgment Of Foreclosure and Declaratory Relief is ready for judicial signature because:

- Each opposing party affected by this order or judgment has stipulated to the order or judgment, as shown by each opposing party's signature on the document being submitted.
- Each opposing party affected by this order or judgment has approved the order or judgment, as shown by signature on the document being submitted or by written confirmation of approval sent to me.
- I have served a copy of this order or judgment on all parties entitled to service and:
 - No objection has been served on me.
 - I received objections that I could not resolve with the opposing party despite reasonable efforts to do so. I have filed a copy of the objections I received and indicated which objections remain unresolved.
 - After conferring about objections, _____ agreed to independently file any remaining objection.

The relief sought is against an opposing party who has been found in default.

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An order of default is being requested with this proposed judgment.

Service is not required pursuant to subsection (3) of this rule, or by statute, rule, or otherwise.

This is a proposed judgment that includes an award of punitive damages and notice has been served on the Director of the Crime Victims' Assistance Section as required by subsection (4) of this rule.

Other: _____

Dated March 29, 2022 and submitted by:

McCarthy & Holthus, LLP

s/ Michael Scott

Michael Scott OSB No. 973947
920 SW 3rd Ave, 1st Floor
Portland, OR 97204
Phone: (971) 201-3200
Fax: (971) 201-3202
mscott@mccarthyholthus.com
Of Attorneys for Plaintiff