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LINCOLN COUNTY SHERIFF'S OFFICE
NEWPORT, OR

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

In the Matter of the Conservatorship of
WALTER F. BROWN,

A Protected Person.

Case No. P0707042

WRIT OF EXECUTION IN
FORECLOSURE

TO: THE SHERIFF OF LINCOLN COUNTY, OREGON:

1.

WHEREAS, on January 5, 2015, in the above-entitled court, a Limited Judgment and Money Award and on March 23, 2015 a Limited Supplemental Judgment entered and docketed in the above-entitled cause, a true copy of which is attached hereto and made part hereof.

2.

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 upon execution (subject to redemption), all of the interest in real property which Walter F. Brown had on January 5, 2015, the date of the foreclosed Deed of Trust, and also all of the interest which Walter F. Brown had thereafter to satisfy the money award as follows:

Creditor's Principal Judgment

Unpaid Principal Balance	\$286,306.68
Unpaid Interest	\$
Extensions and Penalty	\$
Fees and Costs of Foreclosure	\$6,257.75

1	Attorney Fees	\$78,044.00
2	Total Money Award Entered	\$370,608.43
3	<u>Post Judgment Interest</u>	
4	Accrued Post Judgment Interest from March 23, 2015, the date	\$245,903.58
5	one day after entry of the Judgment through the date of this Writ	
6	was requested, May 20, 2022, at the statutory rate of 9% simple	
7	interest per annum (\$91.38 per diem).	
7	Current Total Amount Owing on the Money Award	\$616,512.01

8 **3.**

9 In addition to this amount, creditor is entitled to the continued accrual of post-
10 judgment interest in the statutory rate of 9% simple interest per annum, \$91.38 per diem,
11 from May 21, 2022, to the date the real property subject to the Judgments is sold by the
12 Lincoln County Sheriff at its foreclosure auction, plus costs of this Writ, sheriff's fees
13 and sale costs, and all other recoverable costs pursuant to law.

14 **4.**

15 The Judgment Creditor's name and address is: Nancy MacDonald, 914 16th Street,
16 Bellingham, Washington, 98225.

17 **5.**

18 The Judgment Creditor's name and address for the purpose of this Writ is: Nancy
19 MacDonald c/o Kurt Peterson, Harrang Long Gary Rudnick P.C., 1050 SW Sixth
20 Avenue, Suite 1600, Portland, Oregon 97204.

21 THEREFORE, in the name of the State of Oregon, you are hereby commanded to
22 seize and sell the real property owned by Walter F. Brown, in the manner prescribed by

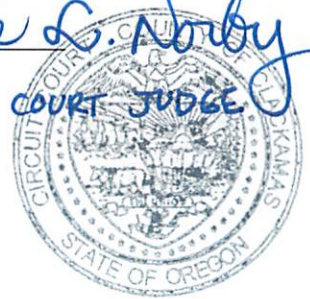
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1 law; or so much thereof as may be necessary to satisfy the Limited Judgment and Money
2 Award and Limited Supplemental Judgment and Money Award, interest, fees, and costs.

3 MAKE RETURN HEREOF within 60 days after you receive this Writ.
4
5
6

7
8 August 8, 2022

Hon. Susie G. Nobby
CIRCUIT COURT JUDGE



10 Submitted by:
11 Kurt C. Peterson, OSB #980065
12 kurt.peterson@harrang.com
13 Of Attorneys for Conservator Nancy MacDonald
14
15

16 COURT CLERK HAS NOT VERIFIED FIGURES IN THIS WRIT.
17 IF YOU HAVE ANY QUESTIONS REGARDING THIS WRIT,
18 PLEASE CONTACT YOUR LEGAL COUNSEL, THE ISSUING
19 ATTORNEY OR THE ISSUING COMPANY, DEBTOR MAY CONTEST
20 THIS WRIT BY FILING A CLAIM OF EXEMPTION

21 Court Administrator relies on the information
22 provided by the person seeking
23 issuance of this writ of execution and is
24 not liable for any errors or omissions
25 in the information.
26

CERTIFICATE OF SERVICE

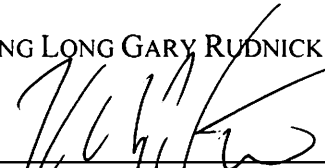
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I certify that on June 6, 2022, I served or caused to be served a true and complete copy of the foregoing **WRIT OF EXECUTION IN FORECLOSURE** on the party or parties listed below as follows:

- Via the Court's Efiling System
- Via First-Class Mail, Postage Prepaid
- Via Email

Walter F. Brown
P.O. Box 3297
Durham, NC 27715

HARRANG LONG GARY RUDNICK P.C.

By: 
 Kurt C. Peterson, OSB #980065
 kurt.peterson@harrang.com
 Of Attorneys for Conservator Nancy
 MacDonald

ENTERED

2015 DEC 31 AM 9:33
JAN 05 2015

ENTERED BY _____
DCC BY **MMP**

Verified Correct Copy of Original 3/29/2017.

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

In the Matter of the Conservatorship of)	
WALTER F. BROWN,)	
)	Case No. p07-07-042
A Protected Person,)	
)	LIMITED JUDGMENT AND MONEY
)	AWARD

On October 17, 2014, the Honorable Susan Nordby, accepted Conservator's fourth and final accounting as supplemented. Attached as Exhibit 1 is the Order relating to the October 17, 2014 Hearing. Attached as Exhibit 2 is the summary page from the accepted supplemental fourth and final accounting. Both Exhibits 1 and 2 are incorporated into this judgment as if fully set forth herein. Based on the Court's Order, it is hereby ADJUDGED that Conservator Nancy MacDonald has judgment against Walter F. Brown for all remaining debts not previously paid as detailed below.

This general judgment and money award shall be entered immediately.

P0707042
JGLN
Judgment - Limited Creates Lien
6894976

MONEY AWARD



- | | |
|------------------------------------|---|
| 1. Judgment Creditor: | Nancy MacDonald
MacDonald & Associates, LLC
P.O. Box 19330
Portland, OR 97280 |
| 2. Attorney for Judgment Creditor: | Eric Kekel
Anne D. Foster
Dunn Carney Allen Higgins & Tongue LLP
851 SW 6th Avenue, Suite 1500
Portland, OR 97204 |

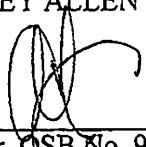
- 1 3. Judgment Debtor: Walter F. Brown
- 2 PO Box 3297
- 3 Durham, NC 22715-3297
- 4 SS #547-30-6719
- 5 4. Attorney for Judgment Debtor: None
- 6 5. Judgment \$286,306.68
- 7 6. Attorney Fees: Fees owed to Dunn Carney Allen Higgins & Tongue LLP. To be determined by the Court.
- 8 7. Costs and Disbursements:
- 9 8. Pre-Judgment Interest: None.
- 10 9. Post-Judgment Interest: 9% per annum on Items 5 & 7, above, from the date of entry of judgment until fully paid.
- 11 10. Other Persons who are entitled to a portion of payments made on this Judgment: Ridgeway K. Foley, Jr.
- 12 Gary St. Louis
- 13 Jeff Brown
- 14 Walter Brown

14 DATED this 30th day of December, 2014.

15
16 *Hon. Susie L. Norby*
17 The Honorable Susie L. Norby

18
19 Presented By:

20
21 DUNN CARNEY ALLEN HIGGINS & TONGUE LLP

22 

23 _____
24 Anne D. Foster, OSB No. 993152
25 Email: afoster@dunncarney.com
26 Attorneys for Conservator Nancy MacDonald

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STATE OF OREGON
CLACKAMAS COUNTY COURTS

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JAN 05 2015
ENTERED BY

By: MMP

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

In the Matter of the Conservatorship of)
WALTER F. BROWN,)
A Protected Person,)
Petitioner,)

Case No. p07-07-042
ORDER REGARDING OCTOBER 17,
2014 HEARING

These matters came before the Court on October 17, 2014. Eric Kekel and Anne Foster, of Dunn Carney Allen Higgins & Tongue, LLP appeared on behalf of conservator MacDonald & Associates, LLC, together with Nancy L. MacDonald. Beverly Brown and Walter F. Brown failed to appear. Before the Court were the following motions:

- (1) Brown's motion to set over the hearing filed less than 24 hours before the scheduled hearing;
- (2) Brown's motion to set aside the Court's August 22, 2014 order setting aside the June 9, 2014 order terminating the conservatorship;
- (3) Conservator's Motion to Compel Records from Brown;
- (4) Conservator's Fourth and Final Accounting and Request for Termination of Conservatorship and Permission to File Judgment Liens;
- (5) Brown's Objections to Conservator's Fourth and Final Accounting; and
- (6) Brown's Motion to Show Cause Why Conservator Has Not Released Assets.
- (7) Brown's Objection to Petition for Order Authorizing Entry of Judgment for Fiduciary Fees, dated January 28, 2014.



1 (8) The Conservator provided supplemental financial information through October
2 17, 2014, which the Court required to be formalized, and the Conservator has filed herein such
3 formalized supplemental information.

4 Having read and considered the submissions of the parties, having heard and considered
5 all arguments, and otherwise being fully informed and advised, it is hereby ORDERED as
6 follows:

- 7 1. Brown's Motion to Set Over Hearing is DENIED;
- 8 2. Brown's motion to set aside the Court's August 22, 2014 order setting aside the June
9 9, 2014 order terminating the conservatorship is DENIED;
- 10 3. Brown's Objection to Order Authorizing Judgment for Fiduciary Fees is DENIED.
- 11 4. Conservator's Motion to Compel Records from Brown is now MOOT;
- 12 5. All objections to conservator's Fourth and Final Accounting are DENIED;
- 13 6. Conservator's Fourth and Final Accounting, as formally supplemented by the
14 Conservator through October 17, 2014, is APPROVED;
- 15 7. Conservator is authorized to use the cash remaining in the conservator's account to
16 pay debts;
- 17 8. Liens for any unpaid debts shall be issued on real property assets of the
18 conservatorship;
- 19 9. Subject to the liens for unpaid debts, all remaining assets will be returned to Walter
20 Brown, the protected person;

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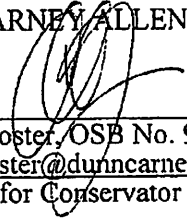
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10. Upon return of assets to the protected person, the Conservator is discharged and the bond released and exonerated without surcharge; and
11. A judgment shall issue terminating this proceeding.
Dated this 31st day of December, 2014.

Hon. Susie L. Norby
The Honorable Susie L. Norby

SUBMITTED BY:
DUNN CARNEY ALLEN HIGGINS & TONGUE LLP



Anne D. Foster, OSB No. 993152
Email: afoster@dunncarney.com
Attorneys for Conservator Nancy MacDonald

Verified Correct Copy of Original 3/28/2017.

STATE OF OREGON
CLACKAMAS COUNTY COURTS
FILED
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MAR-23 2015
DOCKETED
By: MMP

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

In the Matter of the Conservatorship of) Case No. p07-07-042
WALTER F. BROWN,)
A Protected Person,) LIMITED SUPPLEMENTAL
JUDGMENT AND MONEY AWARD

Based on the Court's March _____, 2015 Order awarding Conservator's Petition for Payment of Attorney Fees and Costs, and the Court finding there is no just reason for delay, it is hereby ADJUDGED that Conservator has supplemental judgment against Walter F. Brown for the fees and costs detailed below. A copy of the Order is attached as Exhibit A and incorporated herein.

This limited supplemental judgment and money award shall be entered immediately.

MONEY AWARD

- 1. Judgment Creditor: Nancy MacDonald
MacDonald & Associates, LLC
P.O. Box 19330
Portland, OR 97280
- 2. Attorney for Judgment Creditor: Eric Kekel
Anne D. Foster
Dunn Carney Allen Higgins & Tongue LLP
851 SW 6th Avenue, Suite 1500
Portland, OR 97204
- 3. Judgment Debtor: Walter F. Brown
PO Box 3297
Durham, NC 22715-3297
SS #547-30-6719
- 4. Attorney for Judgment Debtor: None
- 5. Judgment See prior Judgment

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- 1 6. Attorney Fees: \$78,044.00
- 2 7. Costs and Disbursements: \$ 6,257.75
- 3 8. Pre-Judgment Interest: None.
- 4 9. Post-Judgment Interest: 9% per annum on Items 6 & 7, above, from the date of entry of judgment until fully paid.
- 5
- 6 10. Other Persons who are entitled to a portion of payments made on this Judgment: None

7 DATED this 20th day of March, 2015.

11 *Hon. Susie L. Norby*
12 The Honorable Susie L. Norby

15 Presented By:



16 DUNN CARNEY ALLEN HIGGINS & TONGUE LLP

18 Anne D. Foster, OSB No. 993152
19 Email: afoster@dunncarney.com
20 Attorneys for Conservator Nancy MacDonald

Verified Correct Copy of Original 3/28/2017.

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


In the Matter of the Conservatorship of)
WALTER F. BROWN,) Case No. p07-07-042
A Protected Person,) ORDER REGARDING PETITION FOR
Petitioner,) PAYMENT OF ATTORNEYS FEES
AND COSTS

These matters came before the Court on January 20, 2015 by submission of
Conservator's Petition for Payment of Attorney Fees and Costs. Brown had until February 4,
2015 to object but failed to do so. Having read and considered the submissions of the parties,
and the court file herein, and otherwise being fully informed and advised, it is hereby
ORDERED as follows:

Conservator's Petition for Attorney Fees totaling \$78,044.00 and costs totaling
\$6,257.75, is **GRANTED**.

Dated this ___ day of March, 2015.

The Honorable Susie L. Norby

SUBMITTED BY: 
DUNN CARNEY ALLEN HIGGINS & TONGUE LLP
ANNE D. FOSTER, OSB NO. 993152
EMAIL: AFOSTER@DUNNCARNEY.COM
ATTORNEYS FOR CONSERVATOR NANCY MACDONALD

Verified Correct Copy of Original 3/28/2017.

CERTIFICATE OF COMPLIANCE WITH UTCR 5.100

The undersigned hereby certifies that, pursuant to UTCR 5.100, a copy of this proposed ORDER REGARDING PETITION FOR PAYMENT OF ATTORNEY FEES AND COSTS and LIMITED SUPPLEMENTAL JUDGMENT AND MONEY AWARD was served on the persons listed below on February 26, 2015, which is not less than seven (7) days prior to submission to the court.

Walter F. Brown
PO Box 3297
Durham, NC 22715-3297

- By hand delivery
- By first-class mail*
- By overnight mail
- By facsimile transmission
- Fax #:
- By e-mail: walterfbrown@gmail.com

Pro Se

Beverly Brown
PO Box 3297
Durham, NC 22715-3297

- By hand delivery
- By first-class mail*
- By overnight mail
- By facsimile transmission
- Fax #:
- By e-mail: beverlyisbellbrown@gmail.com

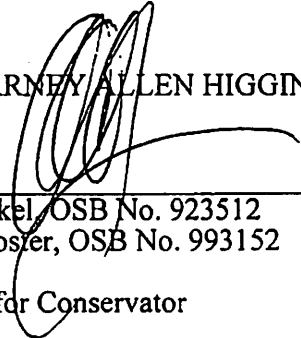
Pro Se

To date no objection has been received by conservator.

Dated this 9th day of March, 2015.

*With first-class postage prepaid and deposited in Portland, Oregon.

DUNN CARNEY ALLEN HIGGINS & TONGUE LLP


Eric A. Kekel, OSB No. 923512
Anne D. Foster, OSB No. 993152

Attorneys for Conservator