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JOSEPHINE CO SHERIFF

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

ACM NORTHWEST V,

Plaintiff,

vs.

DANNY S. ROSENBAUM AND TAMI L.  
ROSENBAUM,

Defendants.

Case No.: 22CV03162

WRIT OF EXECUTION FOR  
FORECLOSURE OF PERSONAL  
PROPERTY

**TO THE JOSEPHINE COUNTY SHERIFF:**

A Judgment for foreclosure on personal property was entered in the above-entitled case on May 11, 2022. A true and correct copy of the Judgment is attached. The Judgment was entered in favor of Plaintiff:

**ACM NORTHWEST V**  
c/o Shannon Suehr  
Attorney for the Plaintiff  
IDEA Law Group, LLC  
4530 S. Eastern Ave, Ste. 10  
Las Vegas, NV 89119

The total judgment amount as of 6/3/22 is listed below, the interest per diem of \$3.85 will continue to accrue:

Judgment Entered Date: May 11, 2022

1 Judgment Award: \$15,633.40  
 2 Post Judgment Interest at 9% (per ORS 82.010); per diem \$3.85; through 8/11/22: \$354.20  
 3 **Total: \$15,987.60**  
 4 NOW, THEREFORE, IN THE NAME OF THE STATE OF OREGON,

5 you are hereby commanded to sell, in the manner prescribed by law for the sale  
 6 of personal property on execution, all of the interest that the Defendants DANNY  
 7 S. ROSENBAUM AND TAMI L. ROSENBAUM ("Defendants") had on or  
 8 about June 17, 2009, the date of the Consumer Security Agreement, and also the  
 9 interest that the Defendants has thereafter, in the personal property described as a  
 10 1993 Liberty Mobile Home Manufactured Home, Serial No. 3 09L26448XU  
 11 X#221673 HOME ID#271901.

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

18 DATED: \_\_\_ day of AUG 12 2022, 20\_\_\_ Court Clerk

19 Title \_\_\_\_\_

20 By: 

21 DATED August 12, 2022.

22 Submitted by IDEA Law Group, LLC

23 /s/ Shannon Suehr  
 24 Shannon Suehr OSB No. 201406  
 25 2001 Western Ave. Ste 400  
 Seattle, WA, 98121  
 877-353-2146 ext. 1020



WRIT-OF EXECUTION 2  
 48027045

IDEA Law Group, LLC  
 4530 S Eastern Ave, Ste 10  
 Las Vegas, NV 89119

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ssuehr@idealawgroupllc.com  
*Attorney for Plaintiff*

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

ACM NORTHWEST V

Plaintiff,

vs.

DANNY S. ROSENBAUM AND TAMI L.  
ROSENBAUM

Defendants.

Case No.: 22CV03162

Proposed Judgment

This Court has reviewed the Defendant's Motion for Judgment by Default, Affidavit in Support of the Motion for Order of Default and Judgment by Default, and it is hereby  
ADJUDGED:

The Plaintiff is entitled to the relief set forth in the attached Motion for Judgment by Default.

5/11/2022 3:35:33 PM

Dated: \_\_\_\_\_



\_\_\_\_\_  
Judge Brandon S. Thueson

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

ACM NORTHWEST V

Plaintiff,

vs.

DANNY S. ROSENBAUM AND TAMI L.  
ROSENBAUM

Defendants.

Case No.: 22CV03162

Certificate of Readiness

UTCR 5.100

I certify this proposed judgment/order is ready for judicial signature because (check all that apply):

- Service is not required under UTCR 5.100 (1)(c) because the other party has been found in default or an order of default is being requested with this proposed judgment/order; because this judgment/order is submitted ex parte as allowed by statute or rule; or this judgment/order is being submitted in open court with all parties present.
- Each party affected by this judgment/order has stipulated to or approved the judgment/order, as shown by the signatures on the judgment/order, or by written confirmation sent to me.
- I have served (complete service section below) a copy of this judgment/order and the Notice of Proposed Judgment/order to all parties entitled to service. And:
  - No objection has been served on me within the 7-day time frame.
  - I received objections that I could not resolve with the other party despite reasonable efforts to do so. I have filed with the court a copy of the objections I received and indicated which objections remain unresolved.
  - After conferring about objections, the other party agreed to file any remaining objection with the court.

IDEA Law Group, LLC

Dated: May 11, 2022

/s/ Shannon Suehr

Shannon Suehr  
OSB No. 201406  
ssuehr@idealawgroupllc.com  
Toll Free: 877-353-2146 ext.1020

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

ACM NORTHWEST V

Plaintiff,

vs.

DANNY S. ROSENBAUM AND TAMI L.  
ROSENBAUM

Defendants.

Case No.: 22CV03162

Motion for Judgment by Default

ORCP 69(D)

**MOTION FOR JUDGMENT BY DEFAULT**

Plaintiff ACM NORTHWEST V, through its undersigned counsel, hereby applies to this Court for a Judgment by Default in favor of Plaintiff and against Defendants Danny S. Rosenbaum and Tami L. Rosenbaum (“Defendants”) pursuant to Rule 69 of the Oregon Rules of Civil Procedure (“ORCP”).

**POINTS OF AUTHORITY**

ORCP 7(C)(2) requires that a Defendant shall appear and defend within 30 days from the date of service.

ORCP 69 requires the clerk or court to enter an Order or Default when a party can show through affidavit or declaration that the non-moving party has been served with Summons pursuant to Rule 7 or is otherwise subject to the jurisdiction of this court, and has failed to appear, plead, or defend within the time set by law.

**ARGUMENT**

**A. DEFENDANTS ARE IN DEFAULT**

Due to a default of payments on their Promissory Note, Plaintiff filed a complaint against Defendants on January 25, 2022. Defendants were served by personal service pursuant to Rule 7 on January 29th, 2022. The Affidavits of Service were filed with this court on April 26<sup>th</sup>, 2022.

Defendants did not appear, plead, or otherwise defend within 30 days of service, a written notice of intent to appear has not been filed by Defendant, and Plaintiff is therefore entitled to an entry of an Order of Default and Judgment by Default, as set forth in ORCP 7(C)(2) and ORCP 69 (C) – (D).

Pursuant to the terms of the Promissory Note, reasonable attorney fees and costs are allowed to be collected by Plaintiff for the prosecution of this action. At the time of this Motion, Plaintiff has incurred attorney fees and costs in the total amount of \$4,345.00. Plaintiff is entitled to attorney fees and costs under the Promissory Note and pursuant to ORS 79.0607(4).

Plaintiff relies on the attached Affidavit in Support of the Motion for Order of Default and in Support for the Motion for Judgment by Default to support this judgment.

**B. PLAINTIFFS REQUEST THE FOLLOWING RELIEF**

We ask this court to grant the Motion for Order of Default and enter a judgment for the following relief:

1. Declaring that Plaintiff has a valid and subsisting first priority lien upon the personal property as described in the Complaint;
2. For judgment against Defendants Danny S. Rosenbaum and Tami L. Rosenbaum in the following amounts:

Principal Balance	\$6,185.66
Interest (from 5/22/2016 through 5/10/2022 at a rate of 10.950%)	\$4,040.57

Escrow Impound Required	\$203.11
Late Charges Due	\$709.56
Fees Currently Assessed	\$148.50
Attorney Fees	\$421.00
Attorney Costs	\$3,925.00
<b>Total</b>	<b>\$15,632.40</b>

3. Declaring the personal property described in the Complaint a security foreclosed and directing the Sheriff to set a foreclosure sale in the manner provided by law toward the satisfaction of the judgment;
4. Applying the proceeds received first towards the costs of sale, then toward satisfaction of Plaintiff's judgment;
5. Ordering that the Defendants, and all persons claiming through or under them either as purchasers, encumbrancers, or otherwise are forever foreclosed of all interest or claim in the personal property;
6. Declaring that the purchaser of the personal property at the Sheriff's Sale is entitled to immediate possession of the property and ordering that if the property is not vacated by such time that the Court order is entered that a writ of assistance be issued ordering the Sheriff to deliver possession to the purchaser forthwith;
7. For such other and further amounts or relief as the Court deems just and equitable.

Plaintiff does hereby request the aforementioned relief and an entry of Judgment by Default in this proceeding.

IDEA Law Group, LLC

Dated: May 11, 2022

/s/ Shannon Suehr  
Shannon Suehr  
OSB No. 201406  
ssuehr@idealawgroupllc.com  
Toll Free: 877-353-2146 ext.1020



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ACM NORTHWEST V,

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Case No.: 22CV03162

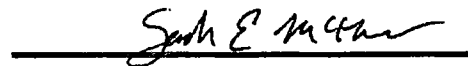
ORDER AUTHORIZING ENTRY TO  
LEVY ON PERSONAL PROPERTY

This Court has reviewed the Defendant's Motion for Authorizing Entry to Levy on  
Personal Property and it is hereby ORDERED:

I.

The Sheriff for Josephine County may use all force reasonably necessary to enter the  
1993 Liberty Mobile Home with the Serial Number 3 09L26448XU X#221673 Home  
ID#271901, located at 6161 Cloverlawn Drive, Grants Pass, Oregon 97527, as described in  
the writ of execution, in order to levy upon the personal property.

7/27/2022 4:27:21 PM



Judge Sarah E. McGlaughlin

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**UTCR 5.100 (2)(b) CERTIFICATION**

This proposed order or judgment is ready for judicial signature because:

- 1.  Each party affected by this order or judgment has stipulated to the order or judgment, as shown by each party's signature on the document being submitted.
- 2.  Each party affected by this order or judgment has approved the order or judgment, as shown by each party's signature on the document being submitted or by written confirmation of approval sent to me.
- 3.  I have served a copy of this order or judgment on each party entitled to service and:
  - 1.  No objection has been served on me.
  - 2.  I received objections that I could not resolve with a party despite reasonable efforts to do so. I have filed a copy of the objections I received and indicated which objections remain unresolved.
  - 3.  After conferring about objections, [role and name of objecting party] agreed to independently file any remaining objection.
- 4.  Service is not required pursuant to subsection (3) of this rule, or by statute, rule, or otherwise.
- 5.  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 (5) of this rule.

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6. [ ] Other: \_\_\_\_\_.”

///

DATED July \_\_\_\_\_, 2022.

Submitted by IDEA Law Group, LLC

/s/ Shannon Suehr  
Shannon Suehr OSB No. 201406  
4530 S. Eastern Ave, Ste. 10  
Las Vegas, NV 89119  
877-353-2146 ext. 1020  
ssuehr@idealawgroupllc.com  
*Attorney for Plaintiff*