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

U.S. BANK NATIONAL ASSOCIATION,
NOT IN ITS INDIVIDUAL CAPACITY BUT
SOLELY AS TRUSTEE FOR THE RMAC
TRUST, SERIES 2018 G-CTT,

Plaintiff,

vs.

THE UNKNOWN HEIRS AND DEVISEES
OF JAMES D. DIXON; LINDA D. SMITH;
LEAH DIXON AKA LEAH VANNATTA;
THE UNKNOWN HEIRS AND DEVISEES
OF LINDA D. SMITH; PROKLEEN INC.,
DBA PROKLEEN CLEANING &
RESTORATION; OCCUPANTS OF THE
PROPERTY,

Defendants.

Case No.: 21CV27480

PRAECIPE FOR WRIT

TO THE CLERK OF THE ABOVE ENTITLED COURT:

You are hereby requested and instructed to issue an execution to the Sheriff of Josephine
County upon the judgment entered on September 28, 2022 in the above cause as follows:

| | |
|--|---------------------|
| 1. Judgment Award: | \$136,085.69 |
| 2. Pre Judgment Interest at the per diem of \$16.16 from 9/24/2022 to 9/28/2022 | \$64.64 |
| 3. Post Judgment Interest at 9% (per ORS 82.010) through 1/5/2023, continuing at \$33.57 per diem | \$3,289.99 |
| 4. Supplemental Judgment | \$0.00 |
| 5. Total | <u>\$139,440.32</u> |

1 This execution is to be issued as:

| | |
|---------------|------------------------------|
| _____ | Ejectment |
| _____ X _____ | Foreclosure on Real Property |
| _____ | Personal Property |
| _____ | Attachment |

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5 Plaintiff certifies that the provisions of this request for issuance of a Writ of Execution conforms
6 to the terms of the aforementioned judgment of record in the cause and to the laws of the State of
7 Oregon; and issued at the request of the undersigned.

8
9 DATED this 5th day of February, 2023

McCarthy & Holthus, LLP

10 s/ Michael Scott

 11 _ John Thomas OSB No. 024691
 12 _ Grace Chu OSB No. 220848
 X 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

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3
4 IN THE CIRCUIT COURT OF THE STATE OF OREGON
5 FOR THE COUNTY OF JOSEPHINE

6 U.S. BANK NATIONAL ASSOCIATION,
7 NOT IN ITS INDIVIDUAL CAPACITY BUT
8 SOLELY AS TRUSTEE FOR THE RMAC
9 TRUST, SERIES 2018 G-CTT,

10 Plaintiff,

11 vs.

12 THE UNKNOWN HEIRS AND DEVISEES
13 OF JAMES D. DIXON; LINDA D. SMITH;
14 LEAH DIXON AKA LEAH VANNATTA;
15 THE UNKNOWN HEIRS AND DEVISEES
16 OF LINDA D. SMITH; PROKLEEN INC.,
17 DBA PROKLEEN CLEANING &
18 RESTORATION; OCCUPANTS OF THE
19 PROPERTY,

20 Defendants.

Case No.: 21CV27480

WRIT OF EXECUTION IN
FORECLOSURE

TO THE JOSEPHINE COUNTY SHERIFF:

A Judgment of Foreclosure was entered and docketed in this case on September 28, 2022.

A true copy of the Judgment is attached hereto. The Judgment was entered in favor of the Plaintiff:

U.S. BANK NATIONAL ASSOCIATION, NOT IN ITS INDIVIDUAL CAPACITY BUT
SOLELY AS TRUSTEE FOR THE RMAC TRUST, SERIES 2018 G-CTT
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 \$136,085.69, plus pre judgment interest at the per diem of
\$16.16 from 9/24/2022 to 9/28/2022 in the amount of \$64.64, plus post judgment interest at the

1 statutory rate of 9.0% per annum from 9/29/2022 to 1/5/2023 in the amount of \$3,289.99, and
2 continuing with a per diem of \$33.57, currently totaling \$139,440.32.

3 **NOW, THEREFORE, IN THE NAME OF THE STATE OF OREGON**, you are
4 hereby commanded to sell, in the manner prescribed by law for the sale of real property on
5 execution (subject to redemption of 180 days), all of the interest that the Defendant had on or about
6 November 4, 2009, the date of the Deed of Trust, and also the interest that the Defendant had
7 thereafter, in the real property described as follows:

8 **PARCEL I:**
9 **PARCEL 1 OF PARTITION PLAT NO. 1991-108, SITUATED IN THE**
10 **NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION**
11 **23, TOWNSHIP 36 SOUTH, RANGE 5 WEST OF THE WILLAMETTE**
12 **MERIDIAN, JOSEPHINE COUNTY, OREGON.**

13 **PARCEL II:**
14 **TOGETHER WITH: AN EASEMENT APPURTENANT TO THE HEREIN**
15 **DESCRIBED PROPERTY FOR INGRESS AND EGRESS, INCLUDING THE**
16 **TERMS AND PROVISIONS THEREOF, AS SET FORTH IN INSTRUMENT**
17 **RECORDED IN DOCUMENT NO. 93-20011 AND SET FORTH ON**
18 **PARTITION PLAT NO. 1991-108., OFFICIAL RECORDS OF JOSEPHINE**
19 **COUNTY OREGON.**

20 and commonly known as: 3829 Rogue River Hwy, Grants Pass, OR 97527-4565.

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

26 **DATED:** ____ day of _____, 20__.

27 _____
28 Title

29 By: _____
30

1 Dated January 5, 2023 and submitted by:

2 McCarthy & Holthus, LLP

3 s/ Michael Scott

4 _ John Thomas OSB No. 024691

_ Grace Chu OSB No. 220848

X Michael Scott OSB No. 973947

920 SW 3rd Ave, 1st Floor

Portland, OR 97204

5 Phone: (971) 201-3200

Fax: (971) 201-3202

6 mscott@mccarthyholthus.com

Of Attorneys for Plaintiff

7 708506

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16 IN THE CIRCUIT COURT OF THE STATE OF OREGON

17 FOR THE COUNTY OF JOSEPHINE

18 U.S. BANK NATIONAL ASSOCIATION, NOT IN
19 ITS INDIVIDUAL CAPACITY BUT SOLELY AS

Case No.: 21CV27480

1 TRUSTEE FOR THE RMAC TRUST, SERIES 2018
G-CTT,

2 Plaintiff,

MOTION FOR ENTRY OF GENERAL
JUDGMENT

3 vs.
4

5 THE UNKNOWN HEIRS AND DEVISEES OF
JAMES D. DIXON; LINDA D. SMITH; LEAH
6 DIXON AKA LEAH VANNATTA; THE UNKNOWN
HEIRS AND DEVISEES OF LINDA D. SMITH;
7 PROKLEEN INC., DBA PROKLEEN CLEANING &
RESTORATION; OCCUPANTS OF THE
PROPERTY,

8 Defendants.
9

10 1.

11 Plaintiff moves this Court for a General Judgment to be entered in this matter.
12 Declarations in support of this motion are submitted contemporaneously.

13 2.

14 Defendants THE UNKNOWN HEIRS AND DEVISEES OF JAMES D. DIXON; LEAH DIXON AKA
15 LEAH VANNATTA; THE UNKNOWN HEIRS AND DEVISEES OF LINDA D. SMITH; OCCUPANTS OF THE
PROPERTY, ("Defaulted Defendants") have been duly served, and an Order of Default has been
16 granted.

17 3.

18 A Stipulated Limited Judgment has been agreed to with regard to Defendant PROKLEEN
19 INC., DBA PROKLEEN CLEANING & RESTORATION, and this limited judgment has been submitted
20 contemporaneously.

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4.

Defendant LINDA D. SMITH has been dismissed from this action.

5.

Plaintiff is entitled to Judgment against Defendants THE UNKNOWN HEIRS AND DEVISEES OF JAMES D. DIXON; LEAH DIXON AKA LEAH VANNATTA; THE UNKNOWN HEIRS AND DEVISEES OF LINDA D. SMITH; PROKLEEN INC., DBA PROKLEEN CLEANING & RESTORATION and OCCUPANTS OF THE PROPERTY as shown in the proposed Judgment submitted herewith for entry by the Court.

Dated: September 24, 2022

McCarthy & Holthus, LLP

s/ Michael Scott

_ John Thomas OSB No. 024691
X Michael Scott OSB No. 973947

920 SW 3rd Ave, 1st Floor

Portland, OR 97204

Phone: (971) 201-3200

Fax: (971) 201-3202

msscott@mccarthyholthus.com

Of Attorneys for Plaintiff

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IN THE CIRCUIT COURT OF THE STATE OF OREGON

FOR THE COUNTY OF JOSEPHINE

U.S. BANK NATIONAL ASSOCIATION, NOT IN
ITS INDIVIDUAL CAPACITY BUT SOLELY AS
TRUSTEE FOR THE RMAC TRUST, SERIES
2018 G-CTT,

Plaintiff,

vs.

THE UNKNOWN HEIRS AND DEVISEES OF
JAMES D. DIXON; LINDA D. SMITH; LEAH
DIXON AKA LEAH VANNATTA; THE
UNKNOWN HEIRS AND DEVISEES OF LINDA
D. SMITH; PROKLEEN INC., DBA PROKLEEN
CLEANING & RESTORATION; OCCUPANTS OF
THE PROPERTY,

Case No.: 21CV27480

GENERAL JUDGMENT OF FORECLOSURE

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Defendants.

1.

THIS MATTER came before the Court on Plaintiff's motion.

- a. Defendants THE UNKNOWN HEIRS AND DEVISEES OF JAMES D. DIXON; LEAH DIXON AKA LEAH VANNATTA; THE UNKNOWN HEIRS AND DEVISEES OF LINDA D. SMITH and OCCUPANTS OF THE PROPERTY ("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;
- b. A Stipulated Limited Judgment of Foreclosure has been entered with regard to Defendant PROKLEEN INC., DBA PROKLEEN CLEANING & RESTORATION;
- c. LINDA D. SMITH was dismissed from this action;

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 Josephine County, Oregon, and is commonly known as 3829 Rogue River Hwy, Grants Pass, OR 97527-4565 (the "Subject Property"), legally described as:
PARCEL I:
PARCEL 1 OF PARTITION PLAT NO. 1991-108, SITUATED IN THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 23, TOWNSHIP 36 SOUTH, RANGE 5 WEST OF THE WILLAMETTE MERIDIAN, JOSEPHINE COUNTY, OREGON.
PARCEL II:

1 TOGETHER WITH: AN EASEMENT APPURTENANT TO THE HEREIN DESCRIBED
2 PROPERTY FOR INGRESS AND EGRESS, INCLUDING THE TERMS AND
3 PROVISIONS THEREOF, AS SET FORTH IN INSTRUMENT RECORDED IN
4 DOCUMENT NO. 93-20011 AND SET FORTH ON PARTITION PLAT NO. 1991-108.,
OFFICIAL RECORDS OF JOSEPHINE COUNTY OREGON.

APN: R315526

- 5 b. Plaintiff is entitled to enforce the note dated November 4, 2009 and made, delivered, and
6 executed by JAMES D. DIXON to South Pacific Financial Corporation DBA North Pacific
7 Financial Corporation in the amount of \$136,000.00 (the "Note"). The Note was transferred
8 to Plaintiff by delivery of possession and by indorsement set forth on the Note.
- 9 c. A deed of trust was made, executed, and delivered by Defendant JAMES D. DIXON on or
10 about November 4, 2009 (the "Deed of Trust"). The Deed of Trust was recorded on November
11 12, 2009 as Instrument No. 2009-017596 in the official records of Josephine County, Oregon.
12 The Deed of Trust is a valid and perfected lien against all of the Property for and securing the
13 Amount Due. The lien of the Plaintiff is superior to any interest, lien, or claim of the
14 Defendants and shall remain in effect until issuance of a Sheriff's Deed.
- 15 d. The Borrower failed to make the payment that was due for June 1, 2020 and has not cured the
16 default. The amount of debt secured by the Deed of Trust that is now due and owing is
17 comprised of the following amounts (the "Amount Due"):

- 18 a) Unpaid principal balance: \$107,239.92
- 19 b) Prejudgment interest accruing from \$14,155.82
20 5/1/2020 through 9/23/2022 and
continuing until the entry of
judgment at the current Note rate of
5.50000%:
- c) Additional amounts due under the \$6,834.79
terms of the loan:
- d) Attorney fees and costs: \$7,770.16

1 e) Prevailing party fee (ORS 20.190 (1)(b)(A)): \$85.00

2 **Total: \$136,085.69**

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

6 e. The interest of the Defendants and any successor in interest in the Subject Property is
7 foreclosed and terminated excepting only any statutory right of redemption as provided by
8 Oregon law.

9 f. The Defendants are not entitled to a homestead exception as against Plaintiff's judgment.

10 g. All right, title and interest in the Subject Property that Defendant James D. Dixon had as of the
11 date of the Deed of Trust or thereafter acquired is hereby ordered to be sold by the Josephine
12 County Sheriff's Office in accordance with the process for sale upon execution, and the
13 proceeds of sale shall be applied:

- 14 1) First, to the costs of sale not incurred by Plaintiff;
- 15 2) Second, to the Amount Due, plus post-judgment interest accruing from the date of entry
16 of judgment through the date of the sale and any incurred costs of sale;
- 17 3) Third, the surplus, if any, to the Defendants in the priority as their interest may appear,
18 described *infra*, or to the clerk of the court to be distributed by the Court to such party
19 or parties as they may establish their right thereto.

20 h. Plaintiff may become purchaser at the sale of the Subject Property and, pursuant to ORS 18.936
(2), may credit bid up 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.

i. The purchaser at the sale is entitled to exclusive and immediate possession of the Subject
Property from and after the date of the sale and is entitled to such remedies as are available at
law or in equity to secure possession. The purchaser at the sale may apply to the Court for a

1 writ of assistance if any Defendant, other party, or other person shall refuse to surrender
2 possession to the purchaser immediately upon the purchaser's demand for possession.

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

5 k. If, before the sale, the Amount Due is brought into court and paid to the clerk, the execution,
6 if issued, shall be recalled and the effect of the judgment as to the Amount Due shall be
7 terminated.

8 l. Pursuant to ORS 18.950 (4), the apparent priority of liens subsequent and inferior to the Deed
9 of Trust are as follows:

10 1) Defendant THE UNKNOWN HEIRS AND DEVISEES OF JAMES D. DIXON may
11 claim a junior interest in the Property by virtue of intestate succession, devise or
12 operation of law.

13 2) Defendant UNKNOWN HEIRS AND DEVISEES OF LINDA D. SMITH may claim a junior
14 interest in the Property by virtue of intestate succession, devise or operation of law.

15 3) Defendant LEAH DIXON AKA LEAH VANNATTA may claim a junior interest in
16 the Property by virtue of intestate succession, devise or operation of law.

17 4) Defendant PROKLEEN INC., DBA PROKLEEN CLEANING & RESTORATION
18 has a junior interest in the Property by virtue of a Mechanics Lien recorded on 7/8/2020
19 as Instrument No. 2020-009777 in the official records of Josephine County, Oregon.
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I hereby certify that the requirements of UTCR 5.100 have been satisfied.

This proposed General Judgment Of Foreclosure 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.

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

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

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

4 [X] Other: Defendant Prokleen Inc., dba Prokleen Cleaning & Restoration has consented
5 to General Judgment in the Stipulated Limited Judgment submitted
contemporaneously.

6
7 Dated September 24, 2022 and submitted by:

8 **McCarthy & Holthus, LLP**

9 s/ Michael Scott

10 _____
_ John Thomas OSB No. 024691
X Michael Scott OSB No. 973947

11 920 SW 3rd Ave, 1st Floor

12 Portland, OR 97204

13 Phone: (971) 201-3200

14 Fax: (971) 201-3202

15 mscott@mccarthyholthus.com

16 Of Attorneys for Plaintiff

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IN THE CIRCUIT COURT OF THE STATE OF OREGON

FOR THE COUNTY OF JOSEPHINE

U.S. BANK NATIONAL ASSOCIATION, NOT IN
ITS INDIVIDUAL CAPACITY BUT SOLELY AS
TRUSTEE FOR THE RMAC TRUST, SERIES 2018
G-CTT,

Plaintiff,

vs.

THE UNKNOWN HEIRS AND DEVISEES OF
JAMES D. DIXON; LINDA D. SMITH; LEAH
DIXON AKA LEAH VANNATTA; THE
UNKNOWN HEIRS AND DEVISEES OF LINDA D.
SMITH; PROKLEEN INC., DBA PROKLEEN
CLEANING & RESTORATION; OCCUPANTS OF
THE PROPERTY,

Case No.: 21CV27480

DECLARATION OF ATTORNEY FEES AND
COSTS FOR PLAINTIFF

1 Defendants.

2
3 The undersigned attorney offers the following facts in support of an award of reasonable
4 and necessary attorney fees, costs, and disbursements:

5 1.

6 Plaintiff is entitled to recover attorney fees, costs, and disbursements pursuant to the
7 following facts, statute or rule:

8 ORCP 68 C

9 Pursuant to the Deed of Trust and Promissory Note at issue, copies of which are
10 already on record with the Court.

11 2.

12 The number of hours and services rendered in this matter for each attorney, clerk, and
13 legal assistant and the hourly rates for each are set forth in the following:

14 An hourly breakdown is inapplicable. A negotiated and customary flat fee of \$5,115.00 is
15 charged at time of judgment in lieu of hourly billing. The attached *Exhibit 1* provides a
16 description of legal services performed under the flat fee agreement and the typical range
17 of time incurred for such service.

18 3.

19 The court should consider the factors checked below in determining a reasonable
20 attorney fee award:

21 Novelty and difficulty of the questions involved;

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- Skills required to perform the legal service properly;
- Likelihood, if apparent to the client, that the acceptance of the particular employment will preclude other employment by the lawyer;
- Fees customarily charged in the locality for similar services. A flat fee of at or near \$1,606 - \$3,275 is customary for this type of litigation. The fees charged in this case are customary;
- Amount involved and the results obtained;
- Time limitations imposed by the client or the circumstances;
- Nature and length of the professional relationship with the client;
- Experience, reputation and ability of the lawyer(s) performing the services; and whether the fee is fixed or contingent.

4.

Costs and disbursements supported by ORCP 68 A (2) or other statute or rule, including the prevailing party fee, are set forth in detail as follows:

| | |
|------------------------|----------|
| a) Filing fees | \$855.00 |
| b) Recording fees | \$106.00 |
| c) Service fees | \$820.00 |
| d) Publication | \$712.40 |
| e) Mailing costs | \$61.76 |
| f) General Endorsement | \$100.00 |

TOTAL \$2,655.16

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5.

In summary, Plaintiff is entitled to an award of the following:

(a) Reasonable and necessary attorney fees: \$5,115.00

(b) Costs, disbursements, and litigation expenses: \$2,655.16

I hereby declare that the above statement is true to the best of my knowledge and belief, and that I understand it is made for use as evidence in court and is subject to penalty for perjury.

Dated: September 24, 2022

McCarthy & Holthus, LLP

s/ Michael Scott

_ John Thomas OSB No. 024691
X 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

Exhibit1

| Description of Legal Work Performed Pursuant to Flat Fee Agreement: Judicial Foreclosure Cases Resulting in a Default Judgment (Figures shown herein represent a typical range of fees that would be incurred if billed hourly rather than under flat fee arrangement.) | Attorney Time at \$250/hr. | Paralegal Time at \$125/hr. |
|---|--|---|
| <u>Complaint and Preparation</u> | | |
| Open file, receive client referral and confirm fee approval. | - | 0.4 |
| Contact title officer and order title report in preparation of legal action. | - | 0.25-0.4 |
| Perform title review and analysis of necessary action. Obtain and prepare documents and exhibits. Perform bankruptcy and non-military search. Perform other necessary due diligence. | 0.5-1.5 | 0.8-1.4 |
| Prepare and draft Complaint, Lis Pendens, Summons and any other necessary accompanying documents. | 0.75 - 2.0 | 1.6-2.2 |
| <u>Service and Case Management</u> | | |
| Monitor service status and execute service; coordinate actions of process server and cause service affidavits to be filed. | 0.5 | 0.8-1.2 |
| Prepare any applicable pre-judgment motions: | 0.0-1.0 | 0.0-1.0 |
| Case Management: review status and progress of case; correspond with client regarding status of case; correspond with interested parties; and negotiate and prepare stipulations. | 0.5-1.5 | 0.5-1.0 |
| <u>Default/Judgment</u> | | |
| Prepare and draft default/judgment pleadings including Motion, Declaration and Order for Default; Motion and Order for Dismissal; Judgment of Foreclosure; Statement of Attorney Fees; and, Declaration of Amounts Due. Obtain and prepare exhibits for default/judgment. Perform bankruptcy and non-military search. | 1.0-1.2 | 2.0-3.0 |
| Total at Judgment | \$1,606- \$3,275 | |

Exhibit1 of 1

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IN THE CIRCUIT COURT OF THE STATE OF OREGON

FOR THE COUNTY OF JOSEPHINE

U.S. BANK NATIONAL ASSOCIATION, NOT IN
ITS INDIVIDUAL CAPACITY BUT SOLELY AS
TRUSTEE FOR THE RMAC TRUST, SERIES 2018
G-CTT,

Plaintiff,

vs.

THE UNKNOWN HEIRS AND DEVISEES OF
JAMES D. DIXON; LINDA D. SMITH; LEAH
DIXON AKA LEAH VANNATTA; THE UNKNOWN
HEIRS AND DEVISEES OF LINDA D. SMITH;
PROKLEEN INC., DBA PROKLEEN CLEANING &
RESTORATION; OCCUPANTS OF THE
PROPERTY,

Case No.: 21CV27480

DECLARATION OF AMOUNTS DUE

1 Defendants.

2
3
4 I, the undersigned, an attorney for Plaintiff in this matter, declare as follows:

5 1.

6 Submitted contemporaneously is Plaintiff's Declaration of Amounts Due and Owing
7 ("Declaration").

8 2.

9 The Declaration contains amounts due and owing under the subject Deed of Trust and
10 Promissory Note (the "Loan") through 5/31/2022.

11 3.

12 For the purpose of attaining a full and accurate judgment, Plaintiff now submits this
13 additional Declaration of Amounts Due to show the Court how the interest was updated through
14 9/23/2022.

15 4.

16 According to the Declaration, interest through 5/31/2022 is \$12,281.26. According to
17 Paragraph 5 of the Declaration, the per diem is \$16.16. Between 5/31/2022 and 9/23/2022, 116
18 days have accrued. Calculating the product of the number of days and the per diem, the updated
19 interest amount through 9/23/2022 is \$14,155.82.

1 I hereby declare that the above statement is true to the best of my knowledge and
2 belief, and that I understand it is made for use as evidence in court and is subject to penalty
3 for perjury.

4 Dated: September 24, 2022

McCarthy & Holthus, LLP

5 s/ Michael Scott

6 _____
_ John Thomas OSB No. 024691
X Michael Scott OSB No. 973947

7 920 SW 3rd Ave, 1st Floor

8 Portland, OR 97204

9 Phone: (971) 201-3200

10 Fax: (971) 201-3202

11 mscott@mccarthyholthus.com

12 Of Attorneys for Plaintiff

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