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BOOK 23 PAGE 170

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Please print neatly or type information

Document Title: Order of Default and Judgment

Reference #'s: _____

Additional reference #'s on page _____

Grantors:

David D. Blackwell and

Kelly J. Blackwell

Additional grantors on page 1

Grantees:

Les Schwab Tire Centers of

Washington, Inc.

Additional grantees on page _____



Legal Description (abbreviated form: i.e. lot, blk, plat or S,T,R quarter/quarter)

N/A

Additional legal is on page _____

Assessor's Property Tax Parcel/Account Number

N/A

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SKAMANIA COUNTY

FILED

JUL 23 2001

LORENA E. HOLLIS, CLERK
DEPUTY

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON
IN AND FOR SKAMANIA COUNTY

LES SCHWAB TIRE CENTERS OF
WASHINGTON, INC., a Washington
corporation,

Plaintiff,

vs.

DAVID D. BLACKWELL and the
marital community composed of
DAVID D. BLACKWELL and KELLY J.
BLACKWELL, all d/b/a K & D
ENTERPRISES,

Defendants.

NO. 01-2-00091-0

ORDER OF DEFAULT
AND JUDGMENT

01-9-00109-1

JUDGMENT SUMMARY

Judgment Creditor: Les Schwab Tire Centers of Washington, Inc., Attention Credit
Department, P.O. Box 667, Prineville, OR 97754

ORDER OF DEFAULT
AND JUDGMENT - 1

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308 North Second Street
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509.573.7501

Judgment Creditor's Attorney: Jeffrey R. Simpson, P.O. Box 590, Yakima, WA 98907

Judgment Debtors: David D. Blackwell and Kelly J. Blackwell, d/b/a K & D Enterprises

Attorney for Judgment Debtors: N/A

Prejudgment Interest: \$362.15 (from September 9, 2000, through July 2, 2001)

Costs And Attorney Fees: Costs in the sum of \$196.00 for filing fee, service of process fee, and official fees plus \$750.00 for attorney fees for a total costs in the sum of \$946.00

Principal Amount: \$2,480.97

Total Judgment: 3,789.12

Post Judgment Interest: Interest at the contractual rate of 18% per annum from date of judgment until satisfied.

I.

HEARING

1.1 Date: The below subscribed date.

1.2 Purpose: To consider plaintiff's Motion And Sworn Statement For Order Of Default And Judgment.

II.

EVIDENCE

2.1 The files and records herein, the Affidavit of Service, the commercial credit application, sales invoices, and ledgers attached to the Sworn Statement In Support Of Order Of Default And Judgment, all on file herein.

III.

FINDINGS

The Court having considered the evidence finds:

3.1 Service: Defendants David D. Blackwell and Kelly J. Blackwell were served in the form and manner required by law with the Summons and Complaint.

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AND JUDGMENT - 2

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3.2 Appearance: Defendants David D. Blackwell and Kelly J. Blackwell have failed to appear, answer or otherwise defend this action within the time required by law.

3.3 Venue: The venue in this action is proper.

3.4 Military Service: The Soldiers' And Sailors' Civil Relief Act is not applicable to his proceeding as defendants are not now nor have they been within the last thirty (30) days in the military service of the United States.

3.5 Sum Certain: The amount demanded is a sum certain established in the pleadings and attachments to the sworn statement.

IV.

ORDER AND JUDGMENT

On the basis of the foregoing Findings, it is hereby
ORDERED, ADJUDGED AND DECREED:

1. The defendants David D. Blackwell and Kelly J. Blackwell be and hereby are in default and plaintiff's Motion for Order of Default be and hereby is granted.

2. Plaintiff Les Schwab Tire Centers of Washington, Inc., a Washington corporation, be and hereby is awarded judgment against defendants David D. Blackwell and Kelly J. Blackwell, all d/b/a K & D Enterprises, each individually, and the marital community composed thereof, jointly and severally, in the principal sum of \$2,480.97, in the sum of \$362.15 for prejudgment interest, in the sum of \$946.00 for costs and attorney fees, for a total judgment of \$3,789.12.

3. Said judgment shall bear post-judgment interest at the contractual rate of 18% per annum until said judgment is fully satisfied.

4. Any voluntary payments made to partially satisfy this judgment shall first be applied to accrued interest with the balance, if any, being applied to the principal of the judgment.

5. Any funds received to partially satisfy the judgment through statutorily authorized

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means shall first be applied to costs as allowed by statute, any balance applied to accrued interest, and the balance, if any, applied to principal.

DATED: *July 23, 2001*

B. Thompson
SUPERIOR COURT JUDGE/
COURT COMMISSIONER

Presented by:
TALBOTT, SIMPSON, GIBSON
& DAVIS, P.S.
Attorneys for Plaintiff

By: *J. R. Simpson*
JEFFREY R. SIMPSON - WSB #8577
P.O. Box 590
Yakima, Washington 98907
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THIS IS AN ATTEMPT TO COLLECT A DEBT AND ALL INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE/THIS IS A COMMUNICATION FROM A DEBT COLLECTOR

ORDER OF DEFAULT
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State of Washington
County of Skamania

I, Lorena E. Hollis, County Clerk of the Superior Court of Skamania County, Washington, DO HEREBY CERTIFY that the instrument, consisting of 4 page(s), is a true and correct copy of the original now on file and recorded in my office and, as County Clerk, I am the legal custodian thereof.

Signed and sealed at Stevenson, Washington
this date: July 30, 2001

LORENA E. HOLLIS, County Clerk
By Paula Seaman Deputy