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Document Title(s)

Judgment by Default
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Reference Number(s) of Related Documents

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Grantor(s) (Last, First and Middle Initial)

Additional Reference #'s on page: 

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Swartling, Terry Eugene	

Additional Grantors on page: 

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Grantee(s) (Last, First and Middle Initial)

Suess, Herman A.	

Additional Grantees on page: 

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Legal Description (abbreviated form: i.e. lot, block, plat or section, township, range, quarter/quarter)

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Additional legal is on page: 

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Assessor's Property Tax Parcel/Account Number

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Additional parcel #'s on page: 

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The Auditor/Recorder will rely on the information provided on this form. The staff will not read the document to verify the accuracy or completeness of the indexing information provided herein.

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FILED  
SUPERIOR COURT  
THURSTON COUNTY, WASH.

10 JAN -6 AM 8:38

BETTY J. GOULD, CLERK

BY \_\_\_\_\_  
DEPUTY

DEFERRED

Hearing is set

Date: \_\_\_\_\_

Time: \_\_\_\_\_

Judge/Calendar: \_\_\_\_\_

## IN THE SUPERIOR COURT OF WASHINGTON FOR THURSTON COUNTY

HERMAN A. SUESS,

Plaintiff,

No. 09-2-02899-8

vs.

TERRY EUGENE SWARTLING,

JUDGMENT BY DEFAULT

Defendant.

JUDGMENT SUMMARY:

1. Judgment Creditor: HERMAN A. SUESS
2. Judgment Debtor: TERRY EUGENE SWARTLING
3. Principal Judgment Amount: \$35,000.00
4. Interest to Date of Judgment: \$2,681.10
5. Attorney Fees: \$800.00
6. Costs: \$260.00
7. Total Judgment Amount: \$38,741.10
8. Interest on Principal Judgment Amount: 12% per annum.
9. Interest on Attorney Fees, Costs and Other Recovery Amounts: 12% per annum.
10. Attorney for Judgment Creditor: Mary Ann Strickler
11. Attorney for Judgment Debtor: None

Pursuant to the allegations of the verified complaint:

1. Plaintiff sold defendant his interest in property the parties had previously purchased and agreed to carry a second mortgage in the sum of

JUDGMENT BY DEFAULT  
PAGE 1

ORIGINAL

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10-9-00017-1

1 \$35,000.00.

2 2. Defendant signed a promissory note in the sum of \$35,000.00.

3 3. Under the terms of the note, defendant was to pay 12% interest from  
4 May 18, 2009; monthly payments of \$500.00, beginning July 1, 2009, and a  
5 balloon payment of any unpaid principal and interest on June 1, 2014.

6 4. Defendant did not make the payment owing on July 1, 2009, nor any  
7 payments thereafter and is in default.

8 5. Under the terms of the note, the debt is accelerated if unpaid within  
9 30 days of written notice of default.

10 6. Defendant failed to respond to written demand sent October 27,  
11 2009, to cure the arrearage.

12 7. Plaintiff is entitled to the principal sum of \$35,000.00 and  
13 prejudgment interest from May 18, 2009 through January 5, 2010, in the sum of  
14 \$2,681.10.

15 8. Plaintiff's cost bill shows costs in this matter totaling \$260.00.

16 9. The sum of \$800.00 is a reasonable attorney's fee in this matter, and  
17 plaintiff is entitled to reasonable fees and costs under paragraph 10 of the  
18 promissory note.

19 JUDGMENT:

20 1. Judgment is hereby entered against defendant for principal sum of  
21 \$35,000.00 and prejudgment interest of \$2,681.10 through January 5, 2010.  
22 Unpaid principal judgment shall bear interest at the rate of 12% per annum.

23 2. Judgment is further entered against defendant for plaintiff's costs  
24 totaling \$260.00, and a reasonable attorney's fee of \$800.00, for a total sum,  
25 including principal and prejudgment interest, of \$38,741.10. Unpaid judgment

26  
27 JUDGMENT BY DEFAULT  
28 PAGE 2

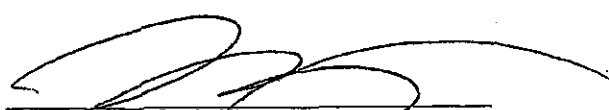
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1 amounts of costs and attorney's fee shall bear interest at the rate of 12% per  
2 annum.

3 DATED: January 6, 2010.

4   
5 SUPERIOR COURT JUDGE

6 Presented by:

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8  
9 Mary Ann Strickler  
10 Attorney for Plaintiff  
11 WSBA No. 25294  
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NOTICE TO STATE  
COUNTY OF KING  
JANUARY 10 2010  
JUDGMENT BY DEFAULT  
PAGE 3

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