

Prepared by:  
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**Upon recordation, return to:**

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**PO Box 2247**  
**Salem, OR 97308**  
**503-364-2281**

**DOCUMENT TITLE(S):**

Certified Copy – General Judgment of Default and Money Award

**GRANTOR/ASSIGNOR:**

Mark Stddard and LuAnn Stoddard

**GRANTEE/ASSIGNEE:**

RES-WA Four, LLC, a Florida limited liability company

**ABBREVIATED LEGAL DESCRIPTION:**

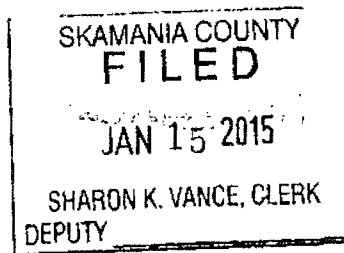
Lot 2 of the Eagle Peak Short Plat recorded in Auditor File No. 2006162927

**REFERENCE NUMBER(S) OF DOCUMENTS ASSIGNED:**

**ASSESSOR'S PROPERTY TAX PARCEL ACCOUNT NUMBER:**

01-05-05-0-0-0702-00

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



**SUPERIOR COURT OF WASHINGTON FOR SKAMANIA COUNTY**

**RES-WA FOUR, LLC**, a Florida limited liability company organized and existing under the laws of the State of Florida, United States,

Plaintiff,

v.

Case No. 14-2-00070-9

**GENERAL JUDGMENT OF  
DEFAULT AND MONEY  
AWARD**

**MARK STODDARD AND LUANN STODDARD**, husband and wife;  
**MILWAUKIE LUMBER COMPANY**, an Oregon corporation; and **ALL OTHER PERSONS OR PARTIES UNKNOWN CLAIMING ANY RIGHT, TITLE, ESTATE, LIEN OR INTEREST IN THE REAL ESTATE DESCRIBED IN THE COMPLAINT**,

Defendants.

15-9-00017-6

This matter having properly come before the Court on Plaintiff's Motion for entry of a Default Order and Judgment thereon against Defendants Mark Stoddard and LuAnn Stoddard ("Defendants"), and the Court having entered an Order of Default against Defendants, and the Court having reviewed the entire trial court file herein and being otherwise fully advised in the premises; Now, Therefore,

**I. JUDGMENT SUMMARY.**

1.1 The name and address of the Judgment Creditor is:

**RES-WA FOUR, LLC**  
Attn: Jonathan Levy  
Rialto Capital Management, LLC  
700 NW 107<sup>th</sup> Ave., Suite 700  
Miami, FL 33172

SHERMAN, SHERMAN, JOHNNIE, & HOYT, LLP  
 693 Chemeketa Street NE / Post Office Box 2247  
 Salem, Oregon 97308-2247  
 (503)364-2281 FAX: (503)370-4308

1.2 The names of the Judgments Debtors are:

Mark Stoddard and LuAnn Stoddard  
 c/o David W. Owens  
 Sneller Pinzelik & Wood  
 4380 SW Macadam Ave., Suite 590  
 Portland, OR 97329

1.3 Principal judgment amount: \$ 642,833.47

1.4 Late charges: \$ 0

1.5 Interest to Date of Judgment: \$           

- a. Primary Amount -- 6.875% on  
 \$272,982.75 from May 10, 2014,  
 Per diem \$32.23
- b. Subordinate Amount -- 9.76% on  
 \$5,555.11 from May 10, 2014,  
 Per diem \$1.51

1.6 Interest Rate After Judgment: \$ 12%

1.7 Attorneys' Fees: \$ 22,658.00

1.8 Costs: \$ 520.00

1.9 Judgment Creditor's Attorney

Russell W. Pike, WSB No. 17715  
 Gina Anne Johnnie, WSB No. 19189  
 Sherman, Sherman, Johnnie & Hoyt, LLP  
 PO Box 2247  
 Salem, OR 97308-2247  
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## II. HEARING.

2.1 Ex Parte submission.

2.2 Appearances. Plaintiff RES-WA FOUR, LLC submitted Motion for  
 Default Order and Judgment ex parte.

2.3 Purpose. To rule on Plaintiff's Motion for Order and Judgment of Default

1 Against Defendants Mark Stoddard and LuAnn Stoddard.

2 **III. PRIOR ORDER.**

3 3.1 Default. This Court entered a Default Order declaring Defendants Mark  
4 Stoddard and LuAnn Stoddard in default prior to the filing of this Judgment.

5 **IV. ADJUDICATION.**

6 ON THE BASIS OF THE FOREGOING, IT IS ORDERED, ADJUDGED, AND  
7 DECREED:

8 4.1 Judgment. Plaintiff RES-WA FOUR, LLC is awarded judgment against  
9 the Defendants Mark Stoddard and LuAnn Stoddard, individually, jointly, and against  
10 their marital community in the amount of \$642,833.47, together with prejudgment  
11 interest from May 10, 2014 to the date of judgment on the \$272,982.75 principal amount  
12 of the Primary Note, at the rate of 6.875% to the date of judgment, and on the \$5,555.11  
13 principal amount of the Subordinate Note at the rate of 9.76% to the date of judgment.  
14 Post-judgment interest on this entire judgment amount is awarded pursuant to the terms  
15 of the Primary and Subordinate Notes at the statutory rate of 12% per annum. Pursuant  
16 to the terms of the Primary Note and Subordinate Note and Primary and Subordinate  
17 Deeds of Trust, Plaintiff RES-WA FOUR, LLC is awarded judgment against Defendants  
18 Mark Stoddard and LuAnn Stoddard in the amount of \$22,568.00 for attorney fees and  
19 \$520.00 for disbursements. Post-judgment interest shall accrue at the statutory rate of  
20 12% per annum.

21 IT IS FURTHER ORDERED that Plaintiff RES-WA FOUR, LLC is awarded  
22 judgment:

23 That in the event of nonpayment of the Judgment forthwith upon its entry, that the  
24

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1 Plaintiff's Subordinate Deed of Trust executed by the Defendants, Mark Stoddard and  
2 LuAnn Stoddard, be declared a valid first lien upon the land and premises described  
3 herein subject to the priority of Plaintiff's Primary Deed of Trust; that the Plaintiff's  
4 Subordinate Deed of Trust be foreclosed prior to the foreclosure sale of Plaintiff's  
5 Primary Deed of Trust, and that the Court directs that the Real Property covered thereby  
6 be sold by the Sheriff of Skamania County, Washington at a foreclosure sale in the  
7 manner provided by law and in accordance with the practices of this Court, and the  
8 proceeds thereof applied on said Judgment and increased interest and such additional  
9 amounts as the Plaintiff may advance for taxes, assessments, municipal charges, and such  
10 other items as may constitute liens upon the Property, legally known as:

11 A Tract of land in Section 5, Township 1 North, Range 5 East of  
12 the Willamette Meridian in the County of Skamania, State of  
Washington.

13 Lot 2 of the Eagle Peak Short Plat recorded in Auditor File No.  
14 2006162927.

15 Together with an Easement for Access as shown on the recorded  
Short Plat in Auditor File No. 2006162927 and 2006162893.

16 Parcel ID Number: 01-05-05-0-0-0702-00

17 together with all costs and expenses necessary to prevent the impairment of the security,  
18 together with interest thereon from the date of payment.

19 That in the event of nonpayment of the Judgment forthwith upon its entry, that the  
20 Plaintiff's Primary Deed of Trust executed by the Defendants, Mark Stoddard and LuAnn  
21 Stoddard, be declared a valid first lien upon the land and premises hereinabove described;  
22 that the Plaintiff's Primary Deed of Trust be foreclosed after foreclosure of the  
23 Subordinate Deed of Trust and that the Court directs that the Real Property covered  
24

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thereby be sold by the Sheriff of Skamania County, Washington at a foreclosure sale in the manner provided by law and with the practices of this Court, and the proceeds thereof applied on said Judgment and increased interest and such additional amounts as the Plaintiff may advance for taxes, assessments, municipal charges, and such other items as may constitute liens upon the Property, legally known as:

A Tract of land in Section 5, Township 1 North, Range 5 East of the Willamette Meridian in the County of Skamania, State of Washington.

Lot 2 of the Eagle Peak Short Plat recorded in Auditor File No. 2006162927.

Together with an Easement for Access as shown on the recorded Short Plat in Auditor File No. 2006162927 and 2006162893.

Parcel ID Number: 01-05-05-0-0-0702-00

together with all costs and expenses necessary to prevent the impairment of the security, together with interest thereon from the date of payment.

Judgment in favor of Plaintiff declaring that the lien on the Subordinate Deed of Trust being foreclosed on the Property known as:

A Tract of land in Section 5, Township 1 North, Range 5 East of the Willamette Meridian in the County of Skamania, State of Washington.

Lot 2 of the Eagle Peak Short Plat recorded in Auditor File No. 2006162927.

Together with an Easement for Access as shown on the recorded Short Plat in Auditor File No. 2006162927 and 2006162893.

Parcel ID Number: 01-05-05-0-0-0702-00

is a valid lien on the Property and is superior to any interest, lien, right, title or claim of any Defendants in the Real Property.

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1 A Judgment in favor of Plaintiff declaring that the lien on the Primary Deed of  
2 Trust being foreclosed on the Property known as:

3 A Tract of land in Section 5, Township 1 North, Range 5 East of  
4 the Willamette Meridian in the County of Skamania, State of  
Washington.

5 Lot 2 of the Eagle Peak Short Plat recorded in Auditor File No.  
6 2006162927.

7 Together with an Easement for Access as shown on the recorded  
8 Short Plat in Auditor File No. 2006162927 and 2006162893.

9 Parcel ID Number: 01-05-05-0-0-0702-00

10 is a valid lien on the real property and is superior to any interest, lien, right, title or claim  
11 of any Defendants in the real property.

12 The Sheriff of Skamania County is directed to sell the Property described herein  
13 as provided by law, with the sale first being made under the Subordinate Loan Deed of  
14 Trust.

15 That if any deficiency judgment remains after application of the proceeds of such  
16 sale of the Property by foreclosure of the Subordinate Deed of Trust or Primary Deed of  
17 Trust thereon, execution may be issued for any such deficiency against the Defendants,  
18 Mark Stoddard and LuAnn Stoddard, the marital community, and each of them, and  
enforced against any other property of theirs not exempt from execution.

19 That by such foreclosure and sale, the rights of each of the Defendants and  
20 persons claiming by, through or under them subsequent to the execution of the Primary  
21 Deed of Trust and the Subordinate Deed of Trust on the Property, be adjudged inferior  
22 and subordinate to the Plaintiff's Primary and Subordinate Deeds of Trust and be forever  
23 foreclosed except only for the statutory right of redemption allowed by law.

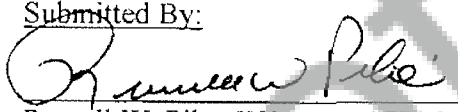
1 The period of redemption is eight (8) months from the date of the Sheriff's Sale  
 2 and the Sheriff should be ordered to issue a Sheriff's Deed at the termination of the  
 3 redemption period.

4 That the Plaintiff be permitted to become a bidder and purchaser at the sale, that  
 5 the Plaintiff may credit bid to the extent of its Primary Lien and its Subordinate Lien and  
 6 that the purchaser be given immediate possession of the Property.

7 Dated this 15 day of Jan, 2015.

8  
 9   
 Superior Court Judge

10 Submitted By:

11   
 12 Russell W. Pike, WSB No. 17715  
 13 Gina Anne Johnnie, WSB No. 19189  
 14 Sherman, Sherman, Johnnie & Hoyt, LLP  
 15 PO Box 2247  
 16 Salem, OR 97308-2247  
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CERTIFICATE OF SERVICE

I hereby certify that on the 6<sup>th</sup> day of January, 2015, I served or caused to be served a true and correct copy of the foregoing proposed **GENERAL JUDGMENT OF DEFAULT AND MONEY AWARD** on the following at their last-known addresses as shown below:

David W. Owens  
Sneller Pinzelik & Wood  
4380 SW Macadam Ave., Suite 590  
Portland, OR 97329

☒ **BY REGULAR MAIL:** I placed copies of the document(s) in a sealed envelope and caused such envelope to be deposited in the United States Mail at Salem, Oregon, with postage thereon fully prepaid and addressed as listed above.

☐ **BY HAND DELIVERY:** I arranged for the documents to be hand delivered to the address(es) listed above.

☐ **BY ELECTRONIC MAIL:** I served the documents by electronic mail to the electronic mail address(es) listed above.

☐ **BY FACSIMILE:** I served the documents by facsimile to the facsimile number(s) listed above.

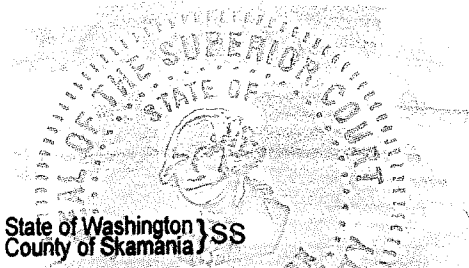
☐ **OTHER:** \_\_\_\_\_

SHERMAN, SHERMAN, JOHNNIE & HOYT, LLP



Russell W. Pike, WSB No. 17715  
Gina A. Johnnie, WSB No. 19189  
Of Attorneys for Plaintiff

Unofficial  
Copy



State of Washington } SS  
County of Skamania }

I, Sharon K. Vance, County Clerk of the Superior Court of Skamania County, Washington, DO HEREBY CERTIFY that this instrument, consisting of 8 page(s), is a true and correct copy of the original now on file and of record in my office and, as County Clerk, I am the legal custodian thereof.

Signed and sealed at Stevenson, Washington  
this date March 5, 2015 Sharon K. Vance  
Sharon K. Vance County Clerk  
By Paula Strz Deputy