

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

BRUCE E. BRINK,

Plaintiff,

vs.

ED WYMAN, dba PINE FOREST ESCROW
COMPANY, and PATRICK L. ROACH
and SHIRLEY A. ROACH, husband and
wife, and PINE FOREST ESCROW, CO.)
INC., an Oregon corporation,

Defendants.

Case No. 84-564-CV

ORDER OF DEFAULT
JUDGMENT

THIS MATTER coming before the Court on Motion of plaintiff,
by and through ASPELL & DELLA-ROSE, attorneys for plaintiff, and
it appearing to the Court that defendant PINE FOREST ESCROW CO.,
INC., was regularly and duly served according to the law with a
copy of the Summons and Complaint, and that said defendant has
failed to answer said Complaint or otherwise appear herein, and
that the time for answering or appearing has expired, and it
further appearing to the Court that on the 27th day of June, 1986,
an Order of Default was entered against defendants PATRICK L.
ROACH and SHIRLEY A. ROACH, and that said Order of Default is of
record and that plaintiff and defendant ED WYMAN, dba PINE FOREST
ESCROW CO., have previously appeared by and through respective
counsel and stipulated dismissal of the case with prejudice and
without costs, upon payment of certain sums held in escrow, now,
therefore

IT IS HEREBY ORDERED that defendant, PINE FOREST ESCROW

1 COMPANY, INC., an Oregon corporation, is hereby declared to be in
2 default and such default is entered of record; and

3 IT IS FURTHER ORDERED that plaintiff have judgment against
4 defendants PATRICK L. ROACH and SHIRLEY A. ROACH, husband and
5 wife, as follows:

6 1. That plaintiff shall have judgment against defendant
7 PATRICK L. ROACH and SHIRLEY A. ROACH, husband and wife, the sum
8 of \$6,982.84, together with interest thereon at the rate of 9
9 percent per annum from January 17, 1984, until paid, together with
10 punitive damages in the sum of \$25,000, together with plaintiff's
11 costs and disbursements incurred herein.

12 As against defendant PINE FOREST ESCROW COMPANY INC., an
13 Oregon corporation, declaring:

14 2. That the assignment by defendants PATRICK L. ROACH &
15 SHIRLEY A. ROACH to plaintiff is a valid and existing assignment
16 of all defendant's right to collection of said contract.

17 3. That defendant PINE FOREST ESCROW COMPANY, INC., shall
18 distribute to plaintiff herein and shall account for all sum or
19 sums which may be due and accrued to sellers PATRICK L. and
20 SHIRLEY A. ROACH, under the land sale contract entitled Raybould
21 to Roach as escrowed with defendant hereunder under escrow
22 collection number 374-C and 374-C2, within 30 days thereof.

23 4. That defendant PINE FOREST ESCROW COMPANY, INC., its
24 successors and assigns shall distribute to plaintiff on
25 plaintiff's order the sum or sums which may be due therein during
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1 the entire term of the described contract of sale for each and
 2 every month, pursuant to the terms of the underlying contract
 3 therein until the Contract shall be fully paid and satisfied,
 4 except upon further order of the Court.

5 5. For such further and affirmative relief as the Court
 6 shall deem just and proper.

7 As against ED WYMAN dba PINE FOREST ESCROW CO.:

8 6. For judgment of dismissal with prejudice and with out
 9 costs upon payment by defendant PINE FOREST ESCROW CO., INC., the
 10 sums in paragraph 2, above.

11 7. For such further and affirmative relief as the Court
 12 shall deem just and proper.

13 DATED this 22 day of October, 1988.

14 St. Wayne H. Blair
 15 CIRCUIT COURT JUDGE

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 20 STATE OF OREGON)
 21 County of Klamath)
 22 I, LYN G. HARDY, Clerk of the Circuit Court of the County of Klamath
 23 and the State of Oregon do hereby certify that the foregoing copy has been
 24 by me compared with the original, and that it is a transcript therefrom, and
 25 of the whole of such original as the same appears on file or of record in my
 26 office and in my care and custody.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed
 the seal of said Court, this 22 day of Oct, A.D. 1988
 LYN G. HARDY, Clerk of Court

By [Signature]



STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Aspell & Della-Rose
 of Nov. A.D., 19 88 at 4:09 o'clock P.M., and duly recorded in Vol. M88 day
 of Needs on Page 20164
 FEE \$18.00
 Evelyn Biehn County Clerk
 By [Signature]

Aspell & Della-Rose
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