

'97 MAY 20 P1:48

U.S. BANKRUPTCY COURT  
DISTRICT OF OREGON  
FILED

MAY 19 1997

TERENCE H. DUNN, CLERK  
BY      DEPUTY

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 5 (541) 883-7139

6 Attorneys for Trustee

7 IN THE UNITED STATES BANKRUPTCY COURT  
 8 FOR THE DISTRICT OF OREGON

9 In re the Administratively Consolidated Cases of:  
 10 THENA, INC., DIVERSIFIED FIBER PRODUCTS,  
 11 INC., OREGON RACING PRODUCTS, INC.,  
 12 T&D PROPERTIES, INC., and RESORT  
 13 VENTURES, INC.,

14 Debtors.

Case No. 695-61353-aer7  
 Case No. 695-61354-aer7  
 Case No. 695-61355-aer7  
 Case No. 695-61356-aer7  
 Case No. 695-61357-aer7

15 THENA, INC., DIVERSIFIED FIBER  
 16 PRODUCTS, INC., OREGON RACING PRODUCTS,  
 17 INC., T&D PROPERTIES, INC., RESORT  
 18 VENTURES, INC.,

19 Plaintiffs,

Adv. Pro. No. 96-6080aer

20 vs.

21 TYRHOLM BIG-R, INC., an Oregon corporation,  
 22 dba Big-R, JELD-WEN, INC., dba EMPIRE  
 23 BUILDING SUPPLY, JEFFERSON STATE  
 24 REDIMIX, INC., an Oregon corporation,  
 25 JEFFERSON STATE SANITATION, KLAMATH  
 26 PACIFIC CORPORATION, STATE OF CALIFORNIA,  
 by and through the OREGON EMPLOYMENT  
 DEPARTMENT, and STATE OF OREGON, by and  
 through the OREGON DEPARTMENT OF REVENUE,

Defendants.

JUDGMENT AND  
 DECREE RELATING TO  
 DEFENDANT'S  
 TYRHOLM BIG-R, INC.;  
 JEFFERSON STATE  
 SANITATION,  
 JEFFERSON STATE REDI-  
 MIX, INC. and JELD-  
 WEN, INC.

THIS MATTER, having come before the Court upon the motion for entry of Judgment  
 against Defendant's Tyrholm Big-R, Inc.; Jefferson State Sanitation, Jefferson State Redi-Mix,

JUDGMENT  
 Page 1

Certified to be a true and correct  
 copy of original filed in my office.  
 Dated 5-19-97  
 Terence H. Dunn, Clerk, U.S. Bankruptcy Court  
 BY      Deputy

34 MAY 20 1997

1 Inc. and Jeld-Wen, Inc. following entry of an Order of Default against said Defendants; the  
 2 claims against these defendants being distinctly separate and distinct from the claims of the  
 3 remaining Defendants and there being, therefore, no just reason for delay in entering this  
 4 judgment;

5 NOW, THEREFORE, IT IS HEREBY ORDERED, ADJUDGED AND DECREED  
 6 that:

- 7 1. The lien of Tyrholm Big-R, Inc. relating to the judgment obtained by that  
 8 Defendant in the Klamath County Circuit Court on March 7, 1995 and March  
 9 22, 1995, in Case No. 9405039CV is hereby set aside as a preferential transfer.
- 10 2. The lien of Jefferson State Sanitation relating to a judgment transcribed to the  
 11 Klamath County Circuit Court on April 20, 1995 in Case No. 9501689CV is  
 12 hereby set aside as a preferential transfer.
- 13 3. The lien of Jefferson State Redi-Mix, Inc., relating to the judgment obtained in  
 14 the Klamath County Circuit Court, Case No. 9500054CV on March 1, 1995 is  
 15 hereby set aside as a preferential transfer.
- 16 4. The lien of Jeld-Wen, Inc., dba Empire Building Supply, relating to a judgment  
 17 transcribed to the Klamath County Circuit Court, Case No. 9501236CV, on  
 18 March 22, 1995 is hereby set aside as a preferential transfer.
- 19 5. The Court expressly finds that there is no basis for delay in entry of judgment  
 20 against these Defendants and expressly directs entry of judgment against fewer  
 21 than all of the parties to this action.

22 *Albert E. Radcliffe*  
 23 Albert E. Radcliffe, Bankruptcy Judge

24 PRESENTED BY:

25 *Michael L. Spencer*  
 26 Michael L. Spencer

CC: Spencer  
 JUDGMENT  
 Page 2

STATE OF OREGON - COUNTY OF KLAMATH: ss.

Filed for record at request of Spencer, Runnels et al the 20th day  
 of May A.D., 19 97 at 1:48 o'clock P. M., and duly recorded in Vol. M97  
 of County Lien Docket on Page 15452

FEE \$25.00

by *Bernelha G. Letsch*  
 Bernelha G. Letsch, County Clerk