

CIRCUIT COURT OF OREGON
COUNTY OF MULTNOMAH

IN THE MATTER OF A FOREIGN)
JUDGMENT RENDERED IN THE CASE OF)

OBSIDIAN FINANCE GROUP, LLC and)
KEVIN D. PADRICK,)

Plaintiffs,)

v.)

CRYSTAL COX,)

Defendant.)

Case No. 1212-15329

United States District Court for the
District of Oregon, Civil No.
CV11-0057HZ

INSTRUCTIONS TO SHERIFF

INSTRUCTIONS TO SHERIFF OF MULTNOMAH COUNTY:

I am an attorney for Obsidian Finance Group, LLC and Kevin D. Padrick, the plaintiffs in the above-referenced action. Set forth below are instructions, provided pursuant to ORS § 18.875, for conducting the sale of intangible personal property in connection with a judgment obtained against Crystal Cox, the defendant in this action. You are hereby instructed to carry out the terms of the writ of execution that has been forwarded to you by the Multnomah County Circuit Court.

The names and addresses of the judgment creditors in this case are Obsidian Finance Group, LLC located at 5 Centerpointe Drive, Suite 590, Lake Oswego, Oregon, 97035 and Kevin Padrick located at PO Box 3510, Sunriver, Oregon, 97707. The name and address of the judgment creditor's attorney is David S. Aman located at 888 SW Fifth Avenue Suite 1600, Portland, OR 97204.

The name and address of the judgment debtor is Crystal Cox located at PO Box 2027, Port Townsend, Washington, 96368. To my knowledge, the judgment debtor is not represented by an attorney in this matter. The sheriff must give the judgment debtor notice by mailing or delivering a copy of the writ of execution to her pursuant to ORS § 18.888.

The personal property to be levied is intangible personal property, specifically all of judgment debtor's rights and interests in connection with the case originally filed in the United States District Court for the District of Oregon, styled as *Obsidian Finance Group v.*

1 Cox, Case No. 3:11-cv-57-HZ, and now pending in the United States Court of Appeals for
2 the Ninth Circuit, Case Nos. 12-35238 and 12-35319, including her right to pursue an appeal
3 in the matter. Pursuant to ORS § 18.884, the sheriff must file with the court administrator a
notice of levy identifying the intangible personal property to be sold pursuant to this writ of
execution.

4 The property described in the writ of execution is not residential property. No
5 portion of the property to be levied on is a condominium unit, manufactured dwelling, or
floating home held as inventory for sale or lease in the regular course of business.

6 A true copy of the judgment and money award are attached to these
7 instructions.

8 Your assistance in connection with this matter is appreciated. Please contact
me at 503.802.2053 if you have any questions or if I can be of any assistance.

9 DATED this 19th day of December, 2012.

10 TONKON TORP LLP

11 By 
12 _____

13 David S. Aman OSB No. 962106
14 Direct Telephone: 503.802.2053
15 Direct Facsimile: 503.972.2753
16 E-mail: david.aman@tonkon.com
17 1600 Pioneer Tower
18 888 SW Fifth Avenue
19 Portland, OR 97204
20 Attorneys for Plaintiffs
21
22
23
24
25
26

CERTIFICATE OF SERVICE

I hereby certify that I served the foregoing **INSTRUCTIONS TO SHERIFF**

on:

Crystal L. Cox
PO Box 2027
Port Townsend, WA 96868

☐ by faxing a copy thereof to each attorney at their last-known facsimile number on the date set forth below;

☒ by mailing a copy thereof in a sealed, first-class postage prepaid envelope, addressed to Crystal L. Cox's last-known address and depositing in the U.S. mail at Portland, Oregon on the date set forth below;

☐ by causing a copy thereof to be e-mailed to each attorney at said attorney's last-known email address on the date set forth below;

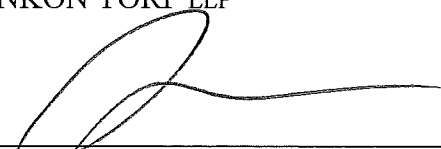
☐ by causing a copy thereof to be hand-delivered to said attorneys at each attorney's last-known office address on the date set forth below;

☐ by sending a copy thereof via overnight courier in a sealed, prepaid envelope, addressed to each attorney's last-known address on the date set forth below.

Dated this 19th day of December, 2012.

TONKON TORP LLP

By


David S. Aman OSB No. 962106
Direct Telephone: 503.802.2053
Direct Facsimile: 503.972.2753
E-mail: david.aman@tonkon.com
1600 Pioneer Tower
888 SW Fifth Avenue
Portland, OR 97204
Attorneys for Plaintiffs

033992/00010/4174610v1

CIRCUIT COURT OF OREGON
COUNTY OF MULTNOMAH

IN THE MATTER OF A FOREIGN
JUDGMENT RENDERED IN THE CASE OF
OBSIDIAN FINANCE GROUP, LLC and
KEVIN D. PADRICK,
Plaintiffs,
v.
CRYSTAL COX,
Defendant.

Case No. 1212-15329
United States District Court for the
District of Oregon, Civil No.
CV11-0057HZ
WRIT OF EXECUTION

TO: SHERIFF OF MULTNOMAH COUNTY:

On or about December 4, 2012, a foreign judgment was entered in the register for this case in the above-entitled court, in favor of Plaintiffs Obsidian Finance Group, LLC and Kevin D. Padrick and against Defendant Crystal Cox, providing a money award in the principal amount of \$2,500,000. The foreign judgment is based on a money judgment entered in the United States District Court for the District of Oregon on December 8, 2011.

Now in the name of the State of Oregon, you are hereby commanded to sell intangible personal property belonging to the judgment debtor. The proceeds from such sale shall be used to satisfy the (1) judgment's principal amount of \$2,500,000, (2) accrued post-judgment interest in the amount of \$9,246.58, (3) post-judgment interest accruing on the judgment per diem \$616.44, and (4) the costs of and upon this writ. Please perform the requested actions within 60 days after you have received this writ.

///

PAGE 1 - WRIT OF EXECUTION

1 The mailing address for the judgment debtor Crystal Cox, PO Box 2027, Port
2 Townsend, Washington, 96368.

3 DATED this _____ day of _____, 201____.

4 COURT ADMINISTRATOR

5
6 By: _____
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

PAGE 2 - WRIT OF EXECUTION

CERTIFICATE OF SERVICE

I hereby certify that I served the foregoing **WRIT OF EXECUTION** on:

Crystal L. Cox
PO Box 2027
Port Townsend, WA 96868

☐ by faxing a copy thereof to each attorney at their last-known facsimile number on the date set forth below;

☒ by mailing a copy thereof in a sealed, first-class postage prepaid envelope, addressed to Crystal L. Cox's last-known address and depositing in the U.S. mail at Portland, Oregon on the date set forth below;

☐ by causing a copy thereof to be e-mailed to each attorney at said attorney's last-known email address on the date set forth below;

☐ by causing a copy thereof to be hand-delivered to said attorneys at each attorney's last-known office address on the date set forth below;

☐ by sending a copy thereof via overnight courier in a sealed, prepaid envelope, addressed to each attorney's last-known address on the date set forth below.

Dated this 19th day of December, 2012.

TONKON TORP LLP

By 

David S. Aman OSB No. 962106
Direct Telephone: 503.802.2053
Direct Facsimile: 503.972.2753
E-mail: david.aman@tonkon.com
1600 Pioneer Tower
888 SW Fifth Avenue
Portland, OR 97204
Attorneys for Plaintiffs

033992/00010/4174618v1

CIRCUIT COURT OF OREGON
COUNTY OF MULTNOMAH

IN THE MATTER OF A FOREIGN
JUDGMENT RENDERED IN THE CASE OF

OBSIDIAN FINANCE GROUP, LLC and
KEVIN D. PADRICK,

Plaintiffs,

v.

CRYSTAL COX,

Defendant.

Case No. 1212-15329

United States District Court for the
District of Oregon, Civil No.
CV11-0057HZ

PRAECIPE FOR EXECUTION

TO: THE COURT ADMINISTRATOR OF THE ABOVE-ENTITLED COURT:


You are hereby requested and instructed to issue an execution to the Sheriff of
Multnomah County, Oregon, in the above-entitled case on the General Judgment entered on
December 4, 2012, in favor of plaintiffs.

It is hereby certified that the provisions of the writ of execution conform to the
terms of the aforementioned General Judgment in this matter.

DATED this 19th day of December, 2012.

TONKON TORP LLP

By


David S. Aman OSB No. 962106
Direct Telephone: 503.802.2053
Direct Facsimile: 503.972.2753
E-mail: david.aman@tonkon.com
1600 Pioneer Tower
888 SW Fifth Avenue
Portland, OR 97204
Attorneys for Plaintiffs

CERTIFICATE OF SERVICE

I hereby certify that I served the foregoing **PRAECIPE FOR EXECUTION**

on:

Crystal L. Cox
PO Box 2027
Port Townsend, WA 96868

☐ by faxing a copy thereof to each attorney at their last-known facsimile number on the date set forth below;

☒ by mailing a copy thereof in a sealed, first-class postage prepaid envelope, addressed to Crystal L. Cox's last-known address and depositing in the U.S. mail at Portland, Oregon on the date set forth below;

☐ by causing a copy thereof to be e-mailed to each attorney at said attorney's last-known email address on the date set forth below;

☐ by causing a copy thereof to be hand-delivered to said attorneys at each attorney's last-known office address on the date set forth below;

☐ by sending a copy thereof via overnight courier in a sealed, prepaid envelope, addressed to each attorney's last-known address on the date set forth below.

Dated this 19th day of December, 2012.

TONKON TORP LLP

By



David S. Aman OSB No. 962106
Direct Telephone: 503.802.2053
Direct Facsimile: 503.972.2753
E-mail: david.aman@tonkon.com
1600 Pioneer Tower
888 SW Fifth Avenue
Portland, OR 97204
Attorneys for Plaintiffs

033992/00010/4170373v1