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FILED
 CLERK U.S. DISTRICT COURT
 DEC 28 2009
 CENTRAL DISTRICT OF CALIFORNIA
 BY *SDM* DEPUTY

7 Attorneys for Plaintiff
 G. ROBERT TONEY & ASSOCIATES, INC.,
 8 dba NATIONAL LIQUIDATORS.

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 10 UNITED STATES DISTRICT COURT
 11 CENTRAL DISTRICT OF CALIFORNIA - SOUTHERN DIVISION

12 G. ROBERT TONEY &
 ASSOCIATES, INC., a Florida
 13 corporation, dba NATIONAL
 LIQUIDATORS,,

14 Plaintiff,

15 v.

16 S/V LADYHAWK, also known as
 S/V ELAINE LOUISE, HIN
 17 TYA52026D788, and its sails,
 engines, apparel, tackle, lifeboats,
 18 anchor, chain, equipment and
 appurtenances, in rem,,
 19

20 Defendants.

Case No. SACV08-01263 AG (ANx)

IN ADMIRALTY

~~9~~ [PROPOSED] FINAL JUDGMENT

Local Admiralty Rules C.4 & C.5
 FRCP 55(a) & (b)

21
 22 Pursuant to the Order for Entry of Default and Default Judgment entered
 23 in this action with respect to the Verified Complaint *In Rem* filed on November
 24 30, 2008:

25 IT IS ORDERED that Final Judgment is entered in favor of Plaintiff G.
 26 ROBERT TONEY & ASSOCIATES, INC., dba NATIONAL LIQUIDATORS
 27 ("Plaintiff") and against S/V LADYHAWK, also known as S/V ELAINE
 28 LOUISE, HIN TYA52026D788 (the "Vessel"), in the amount of \$160,954.95.

1 This Court previously entered default judgment with respect to the Verified
2 Complaint *In Rem* filed on November 7, 2008, in Plaintiff's favor and against
3 Allen Lee Hawkins, Lynn Hawkins, Kent R. Reukema, and all unknown persons
4 and entities having an interest in the Vessel who have failed to file a claim and
5 Answer herein as required by the Court pursuant to its November 7, 2008 Order.

6 By way of its Order Granting Interlocutory Sale of Vessel and Credit Bid by
7 Plaintiff entered on September 23, 2009, the Court adjudicated that Plaintiff is
8 the only party entitled to assert a valid claim against the Vessel. On November
9 13, 2009, the U.S. Marshal sold the Vessel through interlocutory sale which
10 resulted in proceeds of \$90,000.00 that were thereafter deposited with the
11 Court's registry on December 1, 2009. Since the amount of Plaintiff's lien as
12 noted in the Court's September 23, 2009 Order Granting Interlocutory Sale of
13 Vessel and Credit Bid by Plaintiff and in this Final Judgment exceeds the
14 proceeds from the interlocutory sale of the Vessel, and the Marshal has been
15 fully reimbursed his keeper fees and costs of sale including commission from
16 plaintiff's deposit;

17 IT IS ORDERED that Plaintiff is entitled to the full proceeds from the sale
18 of the Vessel in the amount of \$90,000.00, without being subject to any other
19 competing liens or claims.

20 The Clerk shall immediately enter this Final Judgment.

21 IT IS SO ORDERED.

22 DATE: Dec 18, 2009


UNITED STATES DISTRICT COURT JUDGE

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