

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

U.S. BANK NATIONAL ASSOCIATION,

Plaintiff,

v.

LUIS IVAN POBLETE, *et al.*,

Defendants.

Civil Action No. 15-312 (BAH)

Chief Judge Beryl A. Howell

ORDER

Upon consideration of the plaintiff's Motion for Discovery Sanctions, to Modify Scheduling Order, and to Enter Default Judgment Against Defaulted Defendants, ECF No. 41, the related legal memoranda and exhibit in support, and the entire record herein, for the reasons set forth in the accompanying Memorandum Opinion, it is hereby

ORDERED that the plaintiff's Motion for Discovery Sanctions, in the form of a default judgment on Counts IV, VI, and VII, against defendant Luis Ivan Poblete is GRANTED; and it is further

ORDERED that the plaintiff's Motion to Enter Default Judgment Against Defaulted Defendants 1921 Rosedale Street Trust and Warmoesstraat Trust on Counts IV, VI, and VII is GRANTED; and it is further

ORDERED that defendant Poblete and any persons or entities acting at his behest, including the defendants 1921 Rosedale Street Trust and Warmoesstraat Trust, are enjoined from any subsequent filing in any federal court or District of Columbia Superior Court without first obtaining leave from this Court, which leave shall be sought by filing a motion captioned "Application Pursuant to Court Order Seeking Leave to File" that attaches a copy of the

proposed filing and today's Order and certifies, under penalty of perjury, that the claims raised are new claims never before raised or disposed of by any federal court and are not frivolous or made in bad faith; and it is further

ORDERED that defendant Poblete and any persons or entities acting at his behest, including the defendants 1921 Rosedale Street Trust and Warmoesstraat Trust, are enjoined from (1) recording or attempting to record any documents relating to the real property located at 1921 Rosedale Street N.E., Washington, D.C. (the "Property") with the District of Columbia Recorder of Deeds or any other governmental body that would accept such documents, (2) making any claim whatsoever to any right, title or interest in the Property, including any claim to possession, (3) entering the Property, and (4) interfering with the right of the plaintiff and/or its successors in interest to quiet enjoyment of the Property; and it is further

ORDERED that the plaintiff's Motion to Modify Scheduling Order is GRANTED to the extent additional briefing on damages is required, and is otherwise moot; and it is further

ORDERED that the plaintiff shall, by February 28, 2017, file any dispositive motion for damages arising from Counts IV, VI, and VII, along with supporting documentation, or this Order shall become final and appealable on that date. If any such motion is filed, the defendants shall, by March 14, 2017, file any response to that motion, or the Court may deem the motion conceded; and the plaintiff, shall, by March 21, 2017, file any reply in support of that motion.

SO ORDERED

Date: February 14, 2017

BERYL A. HOWELL
Chief Judge