

YU | MOHANDESI LLP  
633 West Fifth Street, Suite 2800  
Los Angeles, CA 90071

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28



UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

The Bank of New York Mellon fka The Bank of New York, as Trustee for the Certificate Holders CWALT, Inc. Alternative Loan Trust 2006-OC8 Mortgage Pass-Through Certificates, Series 2006-OC8,  
  
Plaintiff,  
  
vs.  
  
Marguerite DeSelms, individually, and as Trustee of The Circle Road Revocable Living Trust Dated November 11, 2010; Alan David Tikal as Trustee of the KATN Revocable Living Trust; and CAA, Inc., a Nevada corporation,  
  
Defendants.

Case No.: 5:18-cv-01044-PSG-MRW  
  
~~PROPOSED~~ JUDGMENT  
  
~~Date August 31, 2020~~  
~~Time: 1:30 PM~~  
Courtroom: 6A  
Judge Philip S. Gutierrez

YU | MOHANDESI LLP  
633 West Fifth Street, Suite 2800  
Los Angeles, CA 90071

1 Pursuant to this Court’s Order granting Plaintiff The Bank of New York  
2 Mellon fka The Bank of New York, as Trustee for the Certificate Holders CWALT,  
3 Inc. Alternative Loan Trust 2006-OC8 Mortgage Pass-Through Certificates, Series  
4 2006-OC8’s (“BONY” or “Plaintiff”) Motion for Summary Judgment, ~~or~~  
5 ~~alternatively, Partial Summary Judgment,~~ and for good cause shown, IT IS HEREBY  
6 ORDERED, ADJUDGED AND DECREED that:

7 1. The Substitution of Trustee and Full Reconveyance (hereafter the  
8 “Fake First DOT Reconveyance”) recorded on November 17, 2010 as document  
9 number 2010-0476655 in the official records of San Bernardino County is hereby void  
10 and cancelled.

11 2. It is hereby judicially declared that (i) the Fake First DOT  
12 Reconveyance recorded on November 17, 2010 as document number 2010-0476655 is  
13 void and cancelled; (ii) the First Deed of Trust recorded on August 14, 2006 as  
14 document number 2006-0552510 is valid and encumbers the property commonly  
15 known as “3489 Circle Road, San Bernardino, California 92405 (“Property”); and  
16 (iii) BONY is the beneficiary under the First Deed of Trust with all rights and interest  
17 secured therein including the right to non-judicial foreclosure.

18 3. A permanent injunction is hereby issued such that Defendants shall  
19 not execute or record any further documents which purport to modify, amend, or  
20 extinguish the First Deed of Trust, BONY’s interest in the Property, or any ongoing  
21 non-judicial foreclosure proceedings.

22 4. BONY is hereby awarded costs of suit and reasonable attorneys’  
23 fees as to DeSelms as permitted by the provisions of the Deed of Trust (recorded with  
24 the San Bernardino County Recorder on August 14, 2006 as document number 2006-  
25 0552110) executed by DeSelms with respect to the Property and in accordance with  
26 applicable law as to DeSelms.

27 5. BONY may have this Judgment recorded with the San Bernardino  
28 County Recorder’s Office.

1 IT IS FURTHER ADJUDGED AND DECREED that:

2 1. Defendant Marguerite DeSelms (“DeSelms”) shall take nothing by  
3 way of her operative First Amended Counterclaim.

4 2. DeSelms shall take nothing as to Plaintiff.

5 3. Judgment shall be entered in favor of Plaintiff and against  
6 DeSelms on each and every claim contained in DeSelms’s First Amended  
7 Counterclaim.

8 4. Plaintiff may recover costs and attorneys’ fees from DeSelms as  
9 permitted by law.

10  
11 DATED: August 27, 2020



12  
13  
14 HONORABLE PHILLIP S. GUTIERREZ  
15 UNITED STATES DISTRICT JUDGE  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

YU | MOHANDESI LLP  
633 West Fifth Street, Suite 2800  
Los Angeles, CA 90071