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8 Attorneys for Respondent the United States

9 UNITED STATES DISTRICT COURT
10 FOR THE CENTRAL DISTRICT OF CALIFORNIA
11 SOUTHERN DIVISION

12 OLD REPUBLIC DEFAULT
MANAGEMENT SERVICES,

13 Petitioner,

14 vs.

15 ALL CLAIMANTS TO SURPLUS FUNDS
16 AFTER TRUSTEE'S SALE OF REAL
PROPERTY LOCATED AT 841
17 GREENWAY TERRACE LA HABRA, CA
90631,

18 Respondents.

Case No. 8:15-cv-00442 JVS (JCGx)

JUDGMENT TO DISBURSE
INTERPLEADED FUNDS

19
20 Pursuant to the Court's Order granting the Stipulation to Disburse Interpleaded
21 Funds, and all evidence properly on the record,

22 IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that Robert O.
23 Carter possesses no valid interest in the surplus funds of \$229,708.29 from the judicial
24 foreclosure sale on July 24, 2104, of the real property located at 841 Greenway Terrace,
25 La Habra, California.

26 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that order of
27 priority to the surplus funds is as follows:
28

Party	Priority Date	Balance as of August 24, 2015
Beneficial Financial I, Inc.	4/25/2000	\$77,803.02
United States	11/10/2003	\$1,648.37
United States	10/27/2003	\$28,806.38
FTB	4/23/2004	\$6,349.88
United States	6/14/2004	\$868.79
United States	6/14/2004	\$1,760.39
FTB	4/29/2005	\$4,969.28
FTB	8/29/2005	\$279.47
United States	10/17/2005	\$24,715.64
FTB	6/30/2006	\$8,074.79
FTB	6/16/2007	\$1,955.02
United States	3/24/2008	\$20,465.75
United States	3/24/2008	\$7,128.24
FTB	6/20/2008	\$17,010.83
United States	11/17/2008	\$24,766.42
	TOTAL	\$226,602.89

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the Orange County Superior Court Clerk is ordered to distribute the \$226,602.89 of interpleaded Surplus Funds from case number 30-2015-00767905-CU-PT-CJC as follows:

Party	Check Pavee	Amount	Address
Beneficial Financial I, Inc.	Beneficial Financial I, Inc.	\$77,803.02	Hydee J. Mulichak, Esq. Malcom & Cisneros 2112 Business Center Drive, 2nd Fl. Irvine, CA 92612
United States	United States of America	\$110,160.60	AUSA Charles Parker 300 N. Los Angeles St. Suite 7211 Los Angeles, CA 90012

1 2 3 4	California FTB	California Franchise Tax Board	\$38,639.27	FRANCHISE TAX BOARD c/o Donny P. Le P.O. Box 1720, MS: A-260 Rancho Cordova, CA 95741- 1720
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5 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that Old Republic
6 Default Management Services, pursuant to California Civil Code section 2924k(a)(1), is
7 entitled to \$2,670.40 trustee's fees and the \$435.00 filing fee, which Old Republic
8 Default Management Services retained prior to depositing the surplus funds with the
9 Superior Court. Fees paid to Old Republic Default Management Services pursuant to
10 Section 2924k(a)(1) shall not decrease the amount of Surplus Funds paid to the United
11 States. No further sums shall be paid to Old Republic Default Management Services.


12 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that, except for the
13 payments to Old Republic Default Management Services and Beneficial Inc. described
14 above, the parties will each bear their own costs and attorney's fees.

15 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that nothing in this
16 order waives or limits the IRS's and/or the FTB's right to collect any tax liabilities that
17 were not satisfied through payment of the surplus funds, including assessments discussed
18 herein, and any other assessments made by the IRS or FTB.

19 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that, all parties
20 herein are discharged of all liability with respect to the surplus funds as to Robert O.
21 Carter.

22 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the Court will
23 retain jurisdiction to ensure the surplus funds are properly distributed by the Clerk of the
24 California Superior Court, County of Orange.

25
26 DATED: August 25, 2015

27 
28 JAMES V. SELNA
United States District Judge

CC: Clerk of Court, Orange County Superior Court