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8 Refer to File Number: 4158-20093272/WS

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11 **UNITED STATES DISTRICT COURT**
 12 **EASTERN DISTRICT OF CALIFORNIA**

13 PNC BANK, N.A., a National Association,
 14 as successor in interest to National City
 15 Bank,

16 Plaintiff(s),

17 vs.

18 BELINDA L. SMITH, In Personam;
 19 JACOB WINDING, In Personam; B & B
 20 DREAMIN', Hull No. GMKD283C505, its
 21 engines, machinery, appurtenances, etc. In
 22 Rem,

23 Defendants.

24 AND RELATED COUNTER CLAIMS

CASE NO. 10-CV-1916-JAM-EFB

IN ADMIRALTY

JAM
 [Proposed]

ORDER DIRECTING ISSUANCE OF
 REVISED BILL OF SALE

**John Mendez, United States District
 Judge**

ORDER DIRECTING ISSUANCE OF REVISED BILL OF SALE

1
2 On October 27, 2016, this Court issued an Order approving the recommendations and
3 directing that the Defendant Vessel B & B DREAMIN’, Hull No. GMKD283C505, its engines,
4 machinery, appurtenances, etc. In Rem (“the Vessel”) be sold. [ECF 187.] A Writ of Venditioni
5 Exponas thereafter issued [ECF 188], and the Vessel was in fact sold to a third-party buyer on
6 November 16, 2016, following a duly-noticed auction conducted by the United States Marshal.
7 An Order Confirming Sale was entered on December 14, 2016 [ECF 197], and a Judgment of
8 Foreclosure was entered that same day. [ECF 198.]

9 That same day (December 14, 2016), the Department of Homeland Security, United States
10 Coast Guard, issued a Bill of Sale with respect to the Vessel, reflecting sale of the Vessel to
11 Global Capital Concepts, 3732 T. Street, Sacramento, CA, 95816 (“Buyer”). The Bill of Sale
12 likewise recites the Hull No. GMKD283C505.

13 The Court has since been advised that the Hull No. recited in certain of its prior orders
14 (Hull No. GMKD283C505) is erroneous. It appears to the Court’s satisfaction that the correct
15 Hull Number for the Vessel is Hull No. RGMKD283C505. The intention of the Court, as
16 expressed in numerous prior Orders,¹ was that the Vessel be sold. The erroneous description of
17 the Hull Number of the Vessel has since been corrected via Amended Orders entered this date.

18 Accordingly, the federal appropriate agencies, including the United States Marshal for the
19 Eastern District of California, the Department of Homeland Security and/or the United States
20 Coast Guard, are hereby ordered to issue a revised Bill of Sale with respect to the Vessel as to
21 Buyer, reflecting the correct Hull No. RGMKD283C505.

22 DATED: February 16, 2017

By: 
UNITED STATES DISTRICT JUDGE

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24
25 ¹ See, e.g., Magistrate’s Recommendations re Summary Judgment [ECF 160]; Order Adoption
26 Recommendations and Granting Summary Judgment [ECF 161]; Judgment [ECF 162]; Order
27 Directing US Marshal to Sell Vessel [ECF 167]; Magistrate’s Findings re Motion for Sale [ECF
186]; Order Adopting Magistrate’s Recommendations [ECF 187]; Writ of Venditioni Exponas
[ECF 188]; Order Confirming Sale Without Hearing [ECF 197]; Judgment of Foreclosure [ECF
198]; Order Directing Payment to PNC Bank [ECF 199].