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9 *Attorneys for Plaintiffs the Paskenta Band of Nomlaki Indians*
10 *and the Paskenta Enterprises Corporation*

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

13 **PASKENTA BAND OF NOMLAKI INDIANS;**
14 **and PASKENTA ENTERPRISES**
15 **CORPORATION,**

16 **Plaintiffs,**

17 v.

18 **INES CROSBY; et al.**

19 **Defendants.**
20
21

Case No. 15-cv-00538-MCE-DMC

**STIPULATION AND
ORDER RE PROCEEDS OF
INVESTMENTS IN CRP111 WEST,
CASTELLAN MANAGING MEMBER
LLC, 141ST LLC, CRP WEST 168TH
STREET LLC, AND CRP SHERMAN
AVENUE LLC**

22 This stipulation is entered into by Plaintiffs the Paskenta Band of Nomlaki Indians and the
23 Paskenta Enterprises Corporation and Defendants Leslie Lohse and Larry Lohse by and through
24 their respective counsel:

25 WHEREAS, on March 10, 2015, the Paskenta Band of Nomlaki Indians and Paskenta
26 Enterprises Corporation (“Plaintiffs”) filed the initial Complaint in the instant action, and
27 subsequently filed the operative Third Amended Complaint on or about May 20, 2016 (the
28

1 “Action”);

2 WHEREAS, on or about June 20, 2016, Defendants Leslie Lohse and Larry Lohse (the
3 “Lohse Defendants”) respectively filed Answers to the Third Amended Complaint (“TAC”)
4 asserting all applicable affirmative defenses;

5 WHEREAS, CRP 111 West 141st LLC, CRP West 168th Street LLC, CRP Sherman
6 Avenue LLC are special purpose real estate investment vehicles created by Castellan Managing
7 Member LLC (collectively the “CRP Entities”) for the purpose of making investments in
8 residential and retail properties in the New York metropolitan area;

9 WHEREAS, the Complaint and TAC allege that Defendant Larry Lohse through
10 racketeering activities caused Plaintiffs to loan Larry Lohse \$150,000, and alleges that loan was
11 an unauthorized conversion of Plaintiffs’ money;

12 WHEREAS, the Complaint and TAC further allege that the foregoing loan was used to
13 purchase certain interests in CRP 111 West 141st LLC, CRP West 168th Street LLC, CRP
14 Sherman Avenue LLC (collectively the “Subject Interests”);

15 WHEREAS, Plaintiffs and Defendant Larry Lohse seek to resolve Plaintiffs’ claims in the
16 Action against Defendants Leslie Lohse and Larry Lohse through, in part, the entry of this
17 stipulated proposed order and the provision to Plaintiffs of the relief it provides;

18 WHEREAS, pursuant to a stipulation executed by Plaintiffs and CRP Entities and the
19 accompanying Order of this Court (*See* Dkt. 111), the CRP Entities have held in escrow and
20 invested all payments related to the Subject Interests that would otherwise have been made by the
21 CRP Entities (collectively, the “Proceeds”) to Defendant Larry Lohse, or any other person;

22 IT IS HEREBY STIPULATED, by and between Plaintiffs and the Lohse Defendants, by
23 and through their respective counsel, pursuant to Civil Local Rule 143, and subject to approval by
24 the Court:

- 25 1. The Paskenta Band of Nomlaki Indians is the rightful owner and holder of all
26 rights, interests, and title to and in the Subject Interests and the Proceeds;
- 27 2. All rights, interests, and Title to and in the Subject Interests and the Proceeds is
28 vested in the Paskenta Band of Nomlaki Indians;

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3. The CRP Entities shall pay and/or transfer, in accordance with instructions from the Paskenta Band of Nomlaki Indians, all rights, interest, and title to and in the Subject Interests and Proceeds, inclusive of any returns earned.

Respectfully submitted,

Dated: December 16, 2020

GROSS & KLEIN LLP

By: /s/Stuart G. Gross
STUART G. GROSS
*Attorneys for Plaintiffs the Paskenta Band of
Nomlaki Indians and the Paskenta
Enterprises Corporation*

Dated: December 17, 2020

By: /s/
LESLIE LOHSE
Defendant in pro per

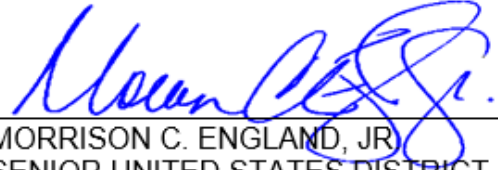
Dated: December 17, 2020

By: /s/
LARRY LOHSE
Defendant in pro per

ORDER

In accordance with the foregoing stipulation, **IT IS SO ORDERED.**

Dated: January 14, 2021


MORRISON C. ENGLAND, JR.
SENIOR UNITED STATES DISTRICT JUDGE