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

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

**PASKENTA BAND OF NOMLAKI INDIANS;
and PASKENTA ENTERPRISES
CORPORATION,**

Plaintiffs,

v.

INES CROSBY; et al.

Defendants.

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**

1 This stipulation is entered into by Plaintiffs the Paskenta Band of Nomlaki Indians and the
2 Paskenta Enterprises Corporation and Defendant John Crosby by and through their respective
3 counsel:

4 WHEREAS, on March 10, 2015, the Paskenta Band of Nomlaki Indians and Paskenta
5 Enterprises Corporation (“Plaintiffs”) filed the initial Complaint in the instant action, and
6 subsequently filed the operative Third Amended Complaint on or about May 20, 2016 (the
7 “Action”);

8 WHEREAS, on or about June 20, 2016, Defendant John Crosby filed his Answer to the
9 Third Amended Complaint (“TAC”) asserting all applicable affirmative defenses;

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

14 WHEREAS, Plaintiffs and Defendant John Crosby seek to resolve Plaintiffs’ claims in the
15 Action against Defendant John Crosby through, in part, the entry of this stipulated proposed order
16 and the provision to Plaintiffs of the relief it provides;

17 WHEREAS, pursuant to a stipulation executed by Plaintiffs and CRP Entities and the
18 accompanying Order of this Court (*See* Dkt. 111), the CRP Entities have held in escrow and
19 invested all payments related to the CRP 111 West 141st LLC, CRP West 168th Street LLC, CRP
20 Sherman Avenue LLC (collectively the “Subject Interests”) that would otherwise have been made
21 by the CRP Entities (collectively, the “Proceeds”) to Defendant John Crosby, or any other person;

22 IT IS HEREBY STIPULATED, by and between Plaintiffs and Defendant John Crosby, 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: June 3, 2022 **GROSS & KLEIN LLP**

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


Dated: May 31, 2022 **GRIFFITH & HORN, LLP**

By: _____/s/_____
DAVID R. GRIFFITH
Attorneys for Defendant John Crosby

ORDER

IT IS SO ORDERED.

Dated: June 16, 2022



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