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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
(SAN FRANCISCO DIVISION)**

SANTA FE POINTE, LP, et al.,
Plaintiffs/Counter-defendants,
v.
GREYSTONE SERVICING
CORPORATION, INC., et al.,
Defendants and Counterclaimant.

Case No. C 07-05454 MMC
JUDGMENT
Judge: Hon. Maxine M. Chesney

Pursuant to this Court's Order on Counterclaimant Greystone CDE, LLC's ("Greystone CDE") "Motion for Summary Judgment" (doc. # 112) that Greystone CDE had established Counter-defendant Theotis Oliphant's ("Oliphant") and Santa Fe Pointe, LP ("SFP") liability on Greystone CDE's counterclaims "in the event SFP has failed to repay the sums it borrowed under the Loan Agreement" [Order (doc # 164) at 14:7-9], and pursuant to the parties' stipulation of June 15, 2009,

IT IS HEREBY ORDERED AND ADJUDGED THAT:


1. SFP, Oliphant and Rant owe, jointly and severally, Greystone CDE \$601,290.83 on the bridge loan in unpaid principal, interest, and loan-related fees and Judgment is entered in

1 favor of Greystone CDE, and against SFP, Oliphant and Rant, jointly and severally, for this
2 amount;

3 2. SFP, Oliphant and Rant are required to and shall indemnify, pay, and reimburse
4 Greystone CDE for attorney's fees and costs incurred by Greystone CDE in connection with this
5 action pursuant to the Bridge Loan Documents (Bridge Promissory Note at 2, Bridge Loan
6 Agreement at § 10.1, Assignment of Purchase Agreement at § 7, Guaranty and Suretyship
7 Agreement at § 3.07, Developer Limited Guaranty Pledge and Security Agreement at § 12) in an
8 amount to be determined by the Court pursuant to a cost/fee application to the Court. Based on
9 that cost/fee application, any opposition thereto by Plaintiffs/Counter-defendants, and any Reply,
10 the Court will amend this Judgment to state the total sum of money recoverable by Greystone
11 CDE against SFP, Oliphant and Rant, jointly and severally.

12 3. Judgment will not be final until (a) Judgment is entered on Plaintiffs' affirmative
13 claims in this action against Greystone CDE and Greystone Servicing Corporation, Inc., Fed. R.
14 Civ. P. 54(b), and (b) calculation of the total sum recoverable by Greystone CDE against SFP,
15 Oliphant and Rant as provided in Paragraph 2, above.

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17 Dated: June 17, 2009

18 By: 
19 MAXINE M. CHESNEY
20 United States District Judge
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