



1 Mark Kipfer undertakes and promises to pay to UHW all damages, costs, and interest that  
2 may be awarded to it following the appeal of this matter up to the sum of \$50,750 if

- 3 a. the judgment so appealed is affirmed;  
4 b. the appeal is dismissed; or.  
5 c. Mark Kipfer fails to promptly pay to UHW all sums awarded against him, in or  
6 following the appeal in this action, including any costs that the court of appeal may  
7 award if the judgment is modified.  
8

9 If Mark Kipfer fulfills the obligations on appeal set forth above, then this obligation will  
10 become void. Otherwise this obligation will remain in full force and effect.

11 Mark Kipfer hereby satisfies the requirement of Local Rule 65.1-1 of the United States  
12 District Court for the Northern District of California, and the Court's orders by:

13 (1) Depositing 50 percent (\$25,375) of the required bond in cash with the Clerk of  
14 the Court; and

15 (2) Pledging real property in California not exempt from execution, the value of  
16 which is more than sufficient to satisfy the remaining 50 percent of the bond.

17 Mark Kipfer declares as follows:

18 (1) The address of the property that I own that I am pledging as security for this  
19 bond to secure payment of the judgment is 1229 Burnett Street, Berkeley, California.

20 (2) I am the owner of said property and have the authority to pledge said property  
21 as security.

22 (3) The fair market value of the property is \$392,000.

23 (4) The outstanding balance of all loans secured by the property is \$185,702.

24 (5) The names and addresses of all lenders of all loans secured by said property is:  
25 CitiMortgage, INC, PO Box 9438, Gaithersburg, MD 20898-9438.

26 (6) All liens, charges, and other encumbrances on the property are: none.

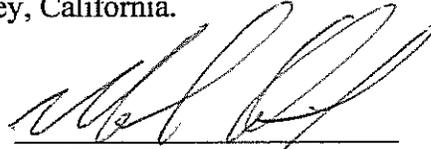
27 (7) I hereby promise not to alienate, encumber or impair the value of the property  
28 until the bond is discharged without leave of Court.

1 (8) I hereby waive any homestead exemption pertaining to the property.

2 (9) I hereby promise to record this bond and the judgment against me with the  
3 Alameda County Recorder promptly upon its approval by the Court.

4 I declare under penalty of perjury that the foregoing is true and correct.

5 Executed on November 22, 2010, at Berkeley, California.

6   
7  
8 Mark Kipfer

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10 Execution of judgment is hereby stayed as to defendant Mark Kipfer pending appeal.

11 Dated: December 7, 2010.

