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6 Attorneys for Plaintiff  
 UNITED STATES SMALL BUSINESS  
 7 ADMINISTRATION

8 UNITED STATES DISTRICT COURT  
 9 NORTHERN DISTRICT OF CALIFORNIA  
 10 SAN FRANCISCO DIVISION

11 UNITED STATES SMALL BUSINESS  
 ADMINISTRATION, an agency of the  
 12 government of the United States of America,

13 Plaintiff,

14 v.

15 MICHAEL D. BENSAL, an individual, SUSAN  
 J. BENSAL, as trustee of The Edward D. Bensal  
 16 Trust, MICHAEL EDWARD BENSAL, an  
 individual, and SOPHIA BENSAL, an individual,

17 Defendants.  
 18

Case No.: CV 13-02263 WHO

**JUDGMENT**

19 The Court, having granted the Motion for Summary Judgment filed by Plaintiff, the  
 20 United States Small Business Administration (“SBA”), by Order dated October 31, 2014,  
 21 entitled “Order Granting Plaintiff’s Motion for Summary Judgment and Denying Defendants’  
 22 motion for Summary Judgment,” and good cause appearing therefor,

23 IT IS HEREBY ORDERED, ADJUDGED AND DECREED that

24 1. Judgment shall be, and is hereby ENTERED in favor of Plaintiff SBA and against  
 25 defendants Michael D. Bensal, Susan J. Bensal, as trustee of The Edward D. Bensal Trust, and  
 26 Michael Edward Bensal (collectively, “Defendants”) on SBA’s claim to set aside as a fraudulent  
 27 transfer defendant Michael D. Bensal’s attempted disclaimer of his beneficial share and rights to  
 28 distribution of his share of the assets of his deceased father’s trust estate (“Trust Share”),

JUDGMENT

CV 13-02263 WHO

1 pursuant to section 3304(a)(1) of the Federal Debt Collections Procedures Act, 28 U.S.C. § 3001  
2 et. seq. The judgment shall be for the full value of the Trust Share, comprised of cash held by  
3 the Trustee in an interest bearing FDIC insured account, the total value of which equaled  
4 \$153,944.30 as of January 31, 2013, as necessary to satisfy the amount currently owed by  
5 Michael D. Bensal under the California state court judgment assigned to the SBA, the amount of  
6 which attributable to the SBA guaranteed loan currently exceeds the sum of \$294,000, not  
7 including attorneys' fees or costs awarded under that judgment.

8 2. The transfer of the Trust Share pursuant to Michael D. Bensal's disclaimer is  
9 VOID. See, 28 U.S.C. § 3306(a)(1).

10 3. Defendants are ORDERED to transfer all property representing Michael D.  
11 Bensal's Trust Share to the SBA in satisfaction of the portion of the state court judgment relating  
12 to the SBA guaranteed loan. 28 U.S.C. § 3306(a)(2).

13 4. Defendants may not otherwise dispose of the Trust Share. All Defendants are  
14 ENJOINED from selling, transferring, or otherwise conveying or assigning any property  
15 representing the trust share. A lien is imposed on all property representing the Trust Share  
16 pursuant to 28 U.S.C. § 3201.

17 5. Costs and attorneys' fees shall be determined pursuant to post-judgment proceedings.

18 IT IS SO ORDERED.

19 Dated: November 10, 2014

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22 WILLIAM H. ORRICK  
23 UNITED STATES DISTRICT JUDGE  
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