

United States District Court
For the Northern District of California

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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

ERIN FYFE,
Plaintiff,
v.
DR. MICHAEL POMPEY,
Defendant.

No. 96-01613 CW
ORDER GRANTING
APPLICATION FOR
RENEWAL OF
JUDGMENT

Pro se Plaintiff Erin Fyfe applies for renewal of a \$300,000 default judgment entered against Defendant Dr. Michael Pompey on July 5, 2002. Plaintiff indicates that, over the last nine years, he has attempted to locate Dr. Pompey to enforce the judgment, but he has been unsuccessful.


The law of the forum state controls the time limits applicable to the enforcement of a judgment. Fed. R. Civ. P. 69(a)(1); Espanol v. Tookes, 2010 WL 582145, *1 (N.D. Cal.). The law of California, the forum state, provides that a money judgment may not be enforced after the expiration of ten years following the date of entry of judgment. Cal. Civ. Proc. Code § 683.120(a), (b). However, a judgment may be renewed for a period of ten years if the renewal is filed before the expiration of the judgment. Cal. Civ. Proc. Code §§ 683.120 (a), (b); 683.130.(a). Filing an application

1 for renewal automatically renews the judgment. Cal. Civil Proc.
2 Code § 683.150(a).

3 For good cause appearing, the Court grants Plaintiff's
4 application for renewal of judgment against Defendant Dr. Michael
5 Pompey in the amount of \$300,000, with interest thereon accruing
6 from July 5, 2002 as provided by 28 U.S.C. § 1961, plus Plaintiff's
7 cost of suit. The Clerk of the Court shall enter a separate
8 renewed judgment.

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10 IT IS SO ORDERED.

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12 Dated: 9/29/2011

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14 CLAUDIA WILKEN
15 United States District Judge
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1 UNITED STATES DISTRICT COURT
2 FOR THE
3 NORTHERN DISTRICT OF CALIFORNIA

4 FYFE,

5 Plaintiff,

Case Number: CV96-01613 CW

CERTIFICATE OF SERVICE

6 v.

7 POMPEY, ET AL et al,

8 Defendant.

9 I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court,
10 Northern District of California.

11 That on September 29, 2011, I SERVED a true and correct copy(ies) of the attached, by placing said
12 copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said
13 envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located
14 in the Clerk's office.

15 Erin Fyfe
16 19846 Via Redonda Road
17 Sonora, CA 95370-8408

Dated: September 29, 2011

Richard W. Wieking, Clerk
By: Nikki Riley, Deputy Clerk