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 6 Attorneys for Defendants GLOBAL DISCOVERIES, LTD.

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 8 **UNITED STATES DISTRICT COURT**
 9 **NORTHERN DISTRICT OF CALIFORNIA**

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 11 COUNTY OF SONOMA,) CASE NO.: CV-10-2448 ^{CW} ~~MEJ~~
 12)
 Plaintiff,)
 13)
 v.)
 14)
 GLOBAL DISCOVERIES, LTD.;)
 15 DIAMOND A RANCHOWNER'S)
 ASSOCIATION; UNITED STATES OF)
 16 AMERICA; STEVEN D. BIBLER; and DOES)
 1 through 10, inclusive,)
 17)
 Defendants.)
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 19)
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 21)
 22)

23 **STIPULATION FOR ENTRY OF JUDGMENT AND JUDGMENT**

1 THE PARTIES STIPULATE TO ENTRY OF JUDGMENT AS FOLLOWS:

2 **RECITALS**

3 1. This Stipulation for Entry of Judgment is entered into by and between Plaintiff
4 COUNTY OF SONOMA ["the COUNTY"], and Defendants GLOBAL DISCOVERIES, LTD.
5 ["GLOBAL"], DIAMOND A RANCHOWNER'S ASSOCIATION ["DIAMOND"], and the
6 UNITED STATES OF AMERICA ["USA"] (collectively, "the Parties").

7 2. This interpleader case arises out of the tax sale, by the COUNTY of Sonoma County
8 Tax Assessor's Parcel Number 064-260-014 on August 28, 2008. After payment of outstanding
9 taxes, fees, and costs, there remained the sum of \$477,705.22 ("Excess Proceeds") which the
10 COUNTY was, pursuant to *California Revenue and Taxation Code*, Section 4675 ["Section 4675"],
11 charged with disbursing to parties of interest, as defined in said statute.

12 3. The following claims to the Excess proceeds were filed with the COUNTY pursuant
13 to Section 4675(a):

14 A. GLOBAL filed a claim as assignee of Administrative Systems Corporation, a Nevada
15 corporation, in the amount of \$477,705.22, based upon an ownership interest in the Property.

16 B. GLOBAL also filed a claim as assignee of Realtec, Ltd, a foreign corporation
17 organized under the laws of the British Virgin Islands, in the amount of \$422,705.22, based upon
18 a lien interest in the Property.

19 C. DIAMOND filed a claim in the amount of \$4,100.00. based upon an assessment lien
20 interest in the Property.

21 D. The USA filed a claim in the amount of \$422,705.22, based upon a lien interest in
22 the Property arising from a Judgment in a Criminal Case dated July 8, 2004 and filed July 9, 2004
23 in the U.S. District Court for the Northern District of California in Case No. CR 01-0325-01 VRW.

24 E. Steven D. Bibler filed a claim as assignee of Thomas Eck III, in the amount of
25 \$422,705.22, based upon an ownership interest in the Property. Thereafter, Steven D. Bibler
26 voluntarily withdrew his claim.

27 4. Because the COUNTY was unable to determine from the claims filed the respective
28 rights and interests of the claimants to the excess proceeds, the COUNTY filed an action in

1 interpleader in Sonoma County Superior Court Case No. SCV247102 [“the State Court action”], and
2 paid the excess proceeds into the Clerk of the Sonoma County Superior Court.

3 5. The USA removed the State Court action to the United States District Court for the
4 Northern District of California, Case No. Case No. CV-10-2448 [“the Federal Court action”] on
5 June 3, 2010. However, the excess proceeds remained on deposit with the Clerk of the Sonoma
6 County Superior Court.

7 6. GLOBAL and the USA have appeared and answered the Interpleader.

8 7. Defendants DIAMOND and Steven D. Bibler did not appear or answer the
9 Interpleader. Therefore, the defaults of Defendants DIAMOND and Steven D. Bibler were
10 requested by counsel for the USA, and were entered by the United States District Court for
11 the Northern District of California on March 3, 2011.

12 8. The DOE Defendants have been dismissed.

13 9. The COUNTY is entitled to its costs and reasonable attorney’s fees herein, but
14 otherwise claims no interest in the Excess Proceeds.

15 10. Notwithstanding the Court’s entry of the default of DIAMOND, the parties
16 hereto desire to pay DIAMOND’s claim as a part of this Stipulation for Entry of Judgment
17 and Judgment.

18 11. This Stipulation resolves the entire action as to all parties and all causes of action.

19 **STIPULATION**

20 **IT IS STIPULATED** by and between the COUNTY, GLOBAL, and the USA as follows:

21 12. This Court shall enter its Judgment disbursing the Excess Proceeds as follows:

22 (A) The Clerk of the Sonoma County Superior Court shall pay exactly \$3,500.00
23 of the Excess Proceeds to the COUNTY as reimbursement of its attorney’s fees and costs incurred
24 in this matter. The check shall be made payable to “County of Sonoma” and shall be mailed to the
25 COUNTY’s attorney at the following address:

26 Steven S. Shupe, Esq.
27 Sonoma County Counsel
28 575 Administrative Drive, Room 105A
Santa Rosa, California 95403

1 (B) The Clerk of the Sonoma County Superior Court shall pay the sum of
2 \$4,100.00 to DIAMOND. The check shall be made payable to "Diamond A Ranchowners
3 Association" and shall be mailed to the DIAMOND's attorney at the following address:

4 Willie Cooper, President
5 Diamond A Ranch Owners Association
6 P.O. Box 273
7 El Verano CA 95433

8 (C) The Clerk of the Sonoma County Superior Court shall pay the balance of the
9 remaining Excess Proceeds in the amount of \$415,105.22 to GLOBAL as the assignee of Realtec,
10 Ltd. The check shall be made payable to "Global Discoveries, Ltd." and shall be mailed to
11 GLOBAL's attorney at the following address:

12 C. Daniel Carroll
13 McCANN & CARROLL
14 54974 Oak Tree
15 La Quinta, California 92253

16 GLOBAL shall also receive any interest which has accrued on the Excess Proceeds.

17 (D) The Clerk of the Sonoma County Superior Court shall not disburse any of the
18 Excess Proceeds or any of the interest accrued thereon to Steven D. Bibler or the USA.

19 13. Except for the obligation imposed by Paragraph 12(A), above, all parties shall bear
20 their own attorney's fees and costs.


21 14. This Stipulation may be executed in counterparts, and a faxed copy of a signed
22 signature page may be submitted to the Court for the purpose of obtaining the Stipulated Judgment.

23 15. The undersigned have authority to execute this agreement on behalf of themselves
24 or the party they represent.

25 Dated: 4-11, 2011

26 BRUCE D. GOLDSTEIN
27 County Counsel

28 By:


STEVEN S. SHUPE, Deputy County Counsel,
Attorneys for Plaintiff COUNTY OF
SONOMA

1 Dated: April 7, 2011

McCANN & CARROLL

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By:

C. DANIEL CARROLL, Attorneys for
Defendants GLOBAL DISCOVERIES, LTD.

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6 Dated: _____, 2011

DIAMOND A RANCHOWNER'S
ASSOCIATION

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By:

Willie Cooper, President

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Dated: 4/2/11, 2011

UNITED STATES OF AMERICA

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By:


STEPHANIE M. HINDS, Assistant United
States Attorney, Attorneys for Defendant
UNITED STATES OF AMERICA

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16 APPROVED AS TO FORM:

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18 Dated: 4-11, 2011

BRUCE D. GOLDSTEIN
County Counsel

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By:


STEVEN S. SHUPE, Deputy County Counsel,
Attorneys for Plaintiff COUNTY OF
SONOMA

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24 Dated: April 7, 2011

McCANN & CARROLL

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By:

C. DANIEL CARROLL, Attorneys for
Defendants GLOBAL DISCOVERIES, LTD.

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1 Dated: _____, 2011

McCANN & CARROLL

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By:

C. DANIEL CARROLL, Attorneys for
Defendants GLOBAL DISCOVERIES, LTD.

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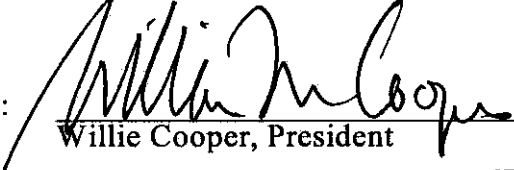
6 Dated: April 7, 2011

DIAMOND A RANCHOWNER'S
ASSOCIATION

7

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By:


Willie Cooper, President

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Dated: _____, 2011

UNITED STATES OF AMERICA

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By:

STEPHANIE M. HINDS, Assistant United
States Attorney, Attorneys for Defendant
UNITED STATES OF AMERICA

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APPROVED AS TO FORM:

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Dated: _____, 2011

BRUCE D. GOLDSTEIN
County Counsel

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By:

STEVEN S. SHUPE, Deputy County Counsel,
Attorneys for Plaintiff COUNTY OF
SONOMA

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Dated: _____, 2011

McCANN & CARROLL

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By:

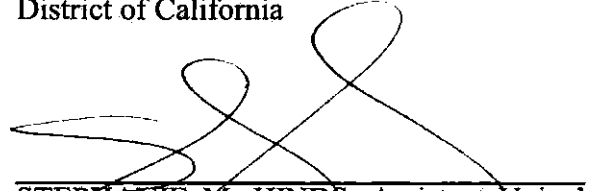
C. DANIEL CARROLL, Attorneys for
Defendants GLOBAL DISCOVERIES, LTD.

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1 Dated: 4/13/11, 2011
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MELINDA HAAG
United States Attorney for the Northern
District of California

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5 By:



6 STEPHANIE M. HINDS, Assistant United
States Attorney, Attorneys for Defendant
7 UNITED STATES OF AMERICA
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1 **JUDGMENT**

2 The above stipulation of the parties for entry of judgment having been read and considered
3 by the Court, and for good cause appearing therefor:

4 **IT IS HEREBY ORDERED, ADJUDGED AND DECREED** as follows:

5 1. The Clerk of the Sonoma County Superior Court shall disburse the excess proceeds
6 from the tax sale of Sonoma County Tax Assessor's Parcel Number 064-260-014 as follows:

7 (A) The Clerk of the Court shall pay exactly \$3,500.00 of the Excess Proceeds to the
8 COUNTY as reimbursement of its attorney's fees and costs incurred in this matter. The check shall
9 be made payable to "County of Sonoma" and shall be mailed to the COUNTY's attorney at the
10 following address:

11 Steven S. Shupe, Esq.
12 Sonoma County Counsel
13 575 Administrative Drive, Room 105A
14 Santa Rosa, California 95403

15 (B) The Clerk of the Sonoma County Superior Court shall pay the sum of
16 \$4,100.00 to DIAMOND. The check shall be made payable to "Diamond A Ranchowners
17 Association" and shall be mailed to the DIAMOND's attorney at the following address:

18 Willie Cooper, President
19 Diamond A Ranch Owners Association
20 P.O. Box 273
21 El Verano CA 95433

22 (C) The Clerk of the Sonoma County Superior Court shall pay the balance of the
23 remaining Excess Proceeds in the amount of \$415,105.22 to GLOBAL as the assignee of Realtec,
24 Ltd. The check shall be made payable to "Global Discoveries, Ltd." and shall be mailed to
25 GLOBAL's attorney at the following address:

26 C. Daniel Carroll
27 McCANN & CARROLL
28 54974 Oak Tree
La Quinta, California 92253

GLOBAL shall also receive any interest which has accrued on the Excess Proceeds.

/ / /

1 (C) The Clerk of the Sonoma County Superior Court shall not disburse any of the
2 Excess Proceeds or any of the interest accrued thereon to Steven D. Bibler, or the USA.

3 2. Except for the obligations imposed by Paragraph 1(A) of this Judgment, all parties
4 shall bear their own attorney's fees and costs.

5 Dated: April 15, 2011

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United States District Judge

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