

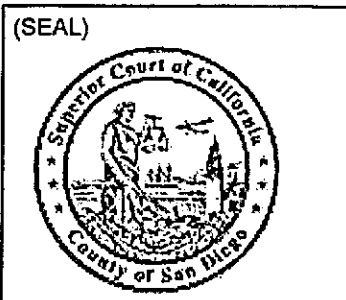
ATTORNEY OR PARTY WITHOUT ATTORNEY STATE BAR NO. Gurstel Law Firm, P.C. Christina Melhouse (SBN#201818) Kelly Hill (SBN# 312363) Jennifer Thomas (SBN# 335997) 3914 Murphy Canyon Rd. #A162 San Diego, CA 92123 TELEPHONE NO. (877) 344-4002 FAX NO. (877) 750-6335 E-MAIL ADDRESS: ATTORNEY FOR (Name): Dudek, a California corporation <input checked="" type="checkbox"/> ATTORNEY FOR <input type="checkbox"/> ORIGINAL JUDGMENT CREDITOR <input type="checkbox"/> ASSIGNEE OF RECORD		FOR COURT USE ONLY FILED Clerk of the Superior Court MAR 23 2022 NOV 1 2021 PM 4:58 RCVD SDCS CIVIL - SD
SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN DIEGO STREET ADDRESS: 325 South Melrose Drive MAILING ADDRESS: CITY AND ZIP CODE: Vista, CA 92081 BRANCH NAME: Vista		By _____
PLAINTIFF/PETITIONER: Dudek, a California corporation DEFENDANT/RESPONDENT: Del Mar Beach Resort Investors, LLC, a Delaware limited liability company	CASE NUMBER: 37-2020-00047046-CU-CL-NC	
WRIT OF <input checked="" type="checkbox"/> EXECUTION (Money Judgment) <input type="checkbox"/> POSSESSION OF <input type="checkbox"/> Personal Property <input type="checkbox"/> SALE <input type="checkbox"/> Real Property	<input type="checkbox"/> Limited Civil Case (including Small Claims) <input checked="" type="checkbox"/> Unlimited Civil Case (including Family and Probate)	

- To the Sheriff or Marshal of the County of: SAN DIEGO
 You are directed to enforce the judgment described below with daily interest and your costs as provided by law.
- To any registered process server: You are authorized to serve this writ only in accordance with CCP 699.080 or CCP 715.040.
- (Name) Dudek, a California corporation
 is the original judgment creditor assignee of record whose address is shown on this form above the court's name.
- Judgment debtor (name, type of legal entity if not a natural person, and last known address):

Del Mar Beach Resort Investors, LLC, a Delaware limited liability company
 700 2nd ST
 Encinitas CA 92024

- Additional judgment debtors on next page.
- Judgment entered on (date): March 24, 2021
 (See type of judgment in item 22.)
- Judgment renewed on (dates):
- Notice of sale under this writ
 - has not been requested.
 - has been requested (see next page).
- Joint debtor information on next page.

9. Writ of Possession/Writ of sale information on next page.
 10. This writ is issued on a sister-state judgment.
- For items 11-17, see form MC-012 and form MC-013-INFO
- | | |
|---|-------------------|
| 11. Total judgment (as entered or renewed) | \$133,907.09 |
| 12. Costs after judgment (CCP 685.090) | \$24.00 |
| 13. Subtotal (add 11 and 12) | <u>133,931.09</u> |
| 14. Credits to principal (after credit to interest) | \$0.00 |
| 15. Principal remaining due (subtract 14 from 13) | <u>133,931.09</u> |
| 16. Accrued interest remaining due per CCP 685.050(b) (not on GC 6103.5 fees) | \$6,420.20 |
| 17. Fee for issuance of writ (per GC 70626(a)(I)) | \$40.00 |
| 18. Total (add 15, 16, and 17) | <u>140,391.29</u> |
19. Levying Officer:
- Add daily interest from date of writ (at the legal rate on 15) (not on GC 6103.5 fees) \$36.69
 - Pay directly to court costs included in 11 and 17 (GC 6103.5, 68637; CCP 699.520(i)) \$0.00
20. The amounts called for in items 11-19 are different for each debtor. These amounts are stated for each debtor on Attachment 20.



Date: 09/21/2021 Clerk, by Janetha Bedolla Deputy
S. Bedolla

NOTICE TO PERSON SERVED: SEE NEXT PAGE FOR IMPORTANT INFORMATION.

Plaintiff/Petitioner: Dudek, a California corporation
 Defendant/Respondent: Del Mar Beach Resort Investors, LLC, a Delaware limited liability company

CASE NUMBER:
 37-2020-00047046-CU-CL-NC

21. Additional judgment debtor (name, type of legal entity if not a natural person, and last known address):

22. The judgment is for (check one):

- a. wages owed.
- b. child support or spousal support.
- c. other. Money damages

23. Notice of sale has been requested by (name and address):

24. Joint Debtor was declared bound by the judgment (CCP 989-994)

- | | |
|--|--|
| a. on (date) | a. one (date) |
| b. name, type of legal entity stated in judgment if not a natural person, and last known address of join debtor: | b. name, type of legal entity stated in judgment if not a natural person, and last known address of join debtor: |

c. Additional costs against certain joint debtors are itemized: below On Attachment 24c

25. (Writ of Possession or Writ of Sale) Judgment was entered for the following:

- a. Possession of real property: The complaint was filed on (date):
 (Check (1) or (2). Check (3), if applicable. Complete (4) if (2) or (3) have been checked.)
 - (1) Prejudgment Claim of Right to Possession was served in compliance with CCP 415.46. The judgment includes all tenants, subtenants, named claimants, and other occupants of the premises.
 - (2) The *Prejudgment Claim of Right to Possession* was NOT served in compliance with CCP 415.46.
 - (3) The unlawful detainer resulted from a foreclosure sale of a rental housing unit. (An occupant not named in the judgment may file a *Claim of Right to Possession* at any time up to and including the time the levying officer returns to effect eviction, regardless of whether a *Prejudgment Claim of Right to Possession* was served.) (See CCP 415.56 and 1174.3(a)(2).)
 - (4) If the unlawful detainer resulting from a foreclosure (item 25a(3)), or if the Prejudgment Claim to Right of Possession was not served in compliance with CCP 415.46 (item 24a(2)), answer the following:
 - (a) The daily rental value on the date the complaint was filed was \$ _____.
 - (b) The court will hear objections to enforcement of the judgment under CCP 1174.3 on the following dates (specify):

Item 25 continued on next page.

Plaintiff: Dudek, a Californiacorporation	CASE NUMBER:
Defendant: Del Mar Beach Resort Investors, LLC, a Delaware limited liability company	37-2020-00047046-CU-CL-NC

- 25. b. Possession of personal property.
 If delivery cannot be had, then for the value (itemized in 25e) specified in the judgment or supplemental order.
- c. Sale of personal property.
- d. Sale of real property.
- e. The property is described: Below On Attachment 25e.

NOTICE TO PERSON SERVED

WRIT OF EXECUTION OR SALE. Your rights and duties are indicated on the accompanying *Notice of Levy* (Form EJ-150).

WRIT OF POSSESSION OF PERSONAL PROPERTY. If the levying officer is not able to take custody of the property, the levying officer will make a demand upon you for the property. If custody is not obtained following demand, the judgment may be enforced as a money judgment for the value of the property specified in the judgment or in a supplemental order.

WRIT OF POSSESSION OF REAL PROPERTY. If the premises are not vacated within five days after the date of service on the occupant or, if service is by posting, within five days after service on you, the levying officer will remove the occupants from the real property and place the judgment creditor in possession of the property. Except for a mobile home, personal property remaining on the premises will be sold or otherwise disposed of in accordance with CCP 1174 unless you or the owner of the property pays the judgment creditor the reasonable cost of storage and takes possession of the personal property not later than 15 days after the time the judgment creditor takes possession of the premises.

EXCEPTION IF RENTAL HOUSING UNIT WAS FORECLOSED. If the residential property that you are renting was sold in a foreclosure, you have additional time before you must vacate the premises. If you have a lease for a fixed term, such as for a year, you may remain in the property until the term is up. If you have a periodic lease or tenancy, such as month-to-month, you may remain in the property for 90 days after receiving a notice to quit. A blank form *Claim of Right to Possession and Notice of Hearing* (form CP10) accompanies this writ. You may claim your right to remain on the property by filling it out and giving it to the sheriff or levying officer.

EXCEPTION IF YOU WERE NOT SERVED WITH A FORM CALLED PREJUDGMENT CLAIM OF RIGHT TO POSSESSION: If you were not named in the judgment for possession and you occupied the premises on the date on which the unlawful detainer case was filed, you may object to the enforcement of the judgment against you. You must complete the form *Claim of Right to Possession and Notice of Hearing* (form CP10) and give it to the sheriff or levying officer. A blank form accompanies this writ. You have this right whether or not the property you are renting was sold in a foreclosure.

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar Number, and Address): Gurstel Law Firm, P.C. 3914 Murphy Canyon Rd. Ste. A162 San Diego, CA 92123 TELEPHONE NO.: Daytime: (858) 279-7920 FAX NO.: Fax: (858) 279-6117 E-MAIL ADDRESS: ATTORNEY FOR (Name): Dudek, a California corporation		FOR COURT USE ONLY
SUPERIOR COURT OF CALIFORNIA, COUNTY OF San Diego STREET ADDRESS: 325 S Melrose Dr. MAILING ADDRESS: CITY AND ZIP CODE: Vista, CA 92081 BRANCH NAME: San Diego County Superior Court		
PLAINTIFF/PETITIONER: Dudek, a California corporation DEFENDANT/RESPONDENT: Del Mar Beach Resort Investor, LLC, a Delaware limited liab-		COURT CASE NUMBER: 37-2020-00047046
Final Return to Court Writ of Execution		LEVYING OFFICER FILE NUMBER: 2021103146

This return to court represents a report of the levying officer's actions and an accounting of amounts collected plus costs incurred pursuant to the requirements of Section 699.560 CCP or Section 488.130.CCP.


<u>Judgment Debtor</u>	<u>Levy Date</u>	<u>Levy Type</u>	<u>Garnishee</u>	<u>Amount of All Levies</u>
Del Mar Beach Resort Investors, LLC, a Delaware limited liability company	11/15/2021	Levy - Bank	California Bank & Trust	\$0.00

Remarks:

Collection of Money:	Original/Accrued Amount (A)	Paid/Credits(B)	Deficit (C)
1. Judgment Amount Due	\$133,931.09	\$0.00	\$133,931.09
2. Interest Calculated On Line 15 of Writ	\$12,949.90	\$0.00	\$12,949.90
3. Writ Fees	\$40.00	\$0.00	\$40.00
4. Reimbursable Fees and Expenses	\$40.00	\$0.00	\$40.00
6. Totals (Line 1 + 2 + 3 + 4)	\$146,960.99	\$0.00	\$146,960.99
Received From All Garnishments and Levies	Creditor Credit Bid	3rd Party Refund or Returned to Garnishee/Debtor by Exemption/Refund or Released to Trustee	Total Received/ Credits(6B)
\$0.00	+	\$0.00	-
\$0.00	=	\$0.00	\$0.00
Total Received/ Credits(6B)	Creditor Credit Bid	Undistributed to Creditor/Attorney	Funds Retained to Cover Costs or Sent to Court
\$0.00	-	\$0.00	-
\$0.00	=	\$0.00	\$0.00

San Diego, CA
03/18/2022

Keliy A. Martinez, Acting Sheriff
County of San Diego
State of California



Sheriff's Authorized Agent

For the Writ issued On: 09/21/2021

DFB

San Diego County Superior Court
325 S Melrose Dr.
Vista, CA 92081

Audit Worksheet

Writ of Execution

This return to court represents a report of the levying officer's actions and an accounting of amounts collected plus costs incurred pursuant to the requirements of Section 699.560 CCP or Section 488.130 CCP

Trxn Date	Transaction Type	Check #	Comment	Amount	Judgment Balance	Cost Balance	Interest Balance	Interest This Period	Days of Interest
09/21/2021	Judgment			\$133931.09	\$133931.09	\$0.00	\$0.00		
09/21/2021	Interest After Judgment			\$6420.20	\$133931.09	\$0.00	\$6420.20		
09/21/2021	Fee for Issuance of Writ			\$40.00	\$133931.09	\$40.00	\$6420.20		
11/15/2021	Served - General Fund	MONTH-11.2021	Cost for Levy - Bank entered on 11/08/2021 - California Bank & Trust	\$22.00	\$133931.09	\$62.00	\$6420.20		
11/15/2021	Served - Sheriff Fund	MONTH-11.2021	Cost for Levy - Bank entered on 11/08/2021 - California Bank & Trust	\$18.00	\$133931.09	\$80.00	\$6420.20		
03/18/2022	Accumulated Interest				\$133931.09	\$80.00	\$12949.90	\$6529.70	178

	Judgment	Costs	Interest	Total
Original/Accrued	\$133931.09	\$80.00	\$12949.90	\$146960.99
Paid/Reduced	\$0.00	\$0.00	\$0.00	\$0.00
Balance	\$133931.09	\$80.00	\$12949.90	\$146960.99

This file is currently accruing interest at the rate of 36.6837260 per day.

Reviewed By: 

Date: 3/18/22

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