

FILED
U.S. DISTRICT COURT
2015 FEB 20 10 2:38
DISTRICT OF UTAH
BY: _____
DEPUTY CLERK

Peggy Hunt (Utah State Bar No. 6060)
Chris Martinez (Utah State Bar No. 11152)
Jeffrey M. Armington (Utah State Bar No. 14050)
DORSEY & WHITNEY LLP
136 South Main Street, Suite 1000
Salt Lake City, UT 84101-1685
Telephone: (801) 933-7360
Facsimile: (801) 933-7373
Email: hunt.peggy@dorsey.com
martinez.chris@dorsey.com
armington.jeff@dorsey.com

Attorneys for Court-Appointed Receiver R. Wayne Klein

**UNITED STATES DISTRICT COURT FOR THE DISTRICT OF UTAH
CENTRAL DIVISION**

<p>R. WAYNE KLEIN, as Receiver of National Note of Utah, LC <i>et al.</i>,</p> <p style="text-align: right;">Plaintiff,</p> <p style="text-align: center;">v.</p> <p>LARRY L. ADAMS, <i>et al.</i>,</p> <p style="text-align: right;">Defendant.</p>	<p style="text-align: center;">DEFAULT JUDGMENT</p> <p style="text-align: center;">Civil No. 2:14-cv-00614</p> <p style="text-align: center;">The Honorable Bruce S. Jenkins</p>
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Pursuant to Fed. R. Civ. P. 55, the Clerk of the Court has certified that (1) Defendant National Note of Southern California ("Defendant") was properly served with process in this action; (2) Defendant has failed to appear, plead, answer, or otherwise respond in this action; and (3) the time allowed by law for Defendant to plead, answer, or otherwise respond in this action has expired.

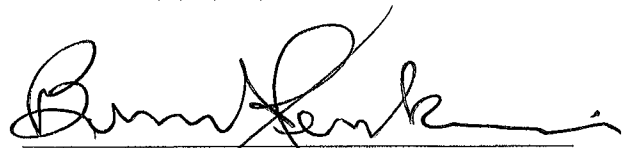
Accordingly, judgment by default is appropriate against Defendant in favor of Plaintiff.

Thus, based on applicable law, the record in this case, and for good cause shown, the Court

hereby **DECLARES** that the Assignments of Beneficial Interest in Trust Deed For Security dated January 9, 2008, and attached hereto as Exhibit 1, is void, invalid, and of no legal effect.

Dated this 23rd day of January, 2015.

BY THE COURT:



The Honorable Bruce S. Jenkins
U.S. District Court Judge

EXHIBIT 1

When recorded, return to:
National Note of Utah
1549 West 7800 South
West Jordan, UT 84088
RE: National Note of Southern California

Microfilm No. **142238**
31 Day January 16 2008
At 11:19 O'clock a.m.
Shirley Blawell
Oneida Co. Recorder
Fee \$ 9.00 Deputy
Recorded at Request of
National Note of Utah

ASSIGNMENT OF BENEFICIAL INTEREST IN TRUST DEED
FOR SECURITY

For value received, and to secure the payment of the indebtedness described below, the undersigned Assignor, National Note of Utah, L.C., hereby assigns to the Assignee(s), **National Note of Southern California**, an undivided **\$25,000.00** of Assignor's right, title and interest in and to the beneficial interest in that certain Trust Deed dated January 4, 2008, between Elkhorn Ridge, LLC, a Utah limited liability company, as Trustor(s), in favor of Northern Title Company of Idaho, as Trustee, for the benefit of National Note of Utah, LC, as Beneficiary, for the principal sum of \$48,750.00, recorded January 22, 2008, as Instrument No. 142153, in the official records of the Recorder of Oneida County, State of Idaho against the following described real property in Oneida County, State of Idaho:

See Attached Exhibit "A"

which has the address of **Elkhorn Ridge Estates Subdivision, Phase 1, Lot 016, Malad, Idaho**

Assignor hereby represents the following to Assignee(s):

1. The Assignor has duly performed all of the conditions imposed on Assignor under said Trust Deed and the related Trust Deed Note.
2. The Trust Deed is now in full force and effect, and the unpaid balance owing on the Trust Deed Note secured by the Trust Deed is \$25,000.00 as of January 4, 2008.
3. The Trust Deed is assignable.

This assignment is given for the purpose of securing payment of the indebtedness evidenced by a Promissory Note dated **August 26, 2004**, in the principle sum of **\$25,000.00** in which Assignor is the maker, payable to the order of Assignee, at the times and in the manner and with interest as therein set forth.

As long as there is no default in the obligations of Assignor to Assignee in the Promissory Note from Assignor to Assignee, Assignor shall continue to collect all payments paid under the Trust Deed Note secured by the Trust Deed hereby assigned and shall have the right to enforce all remedies against the Trustors as makers of the Trust Deed Note if there is a default under the Trust Deed and/or the Trust Deed Note.

142238

EXHIBIT "A"

Lot 16, ELKHORN RIDGE ESTATES, according to the official plat thereof as recorded September 17, 2007 in Oneida County, Idaho, Recorder's Office, as instrument number 141595.