

ATTORNEY OR PARTY WITHOUT ATTORNEY (name, state bar number, and address) Patrick J. Layman, SBN #59643 Erin E. Patterson, SBN #262285 Esther E. Hyun, SBN #292770 Kevin A. Hoang, SBN #277132 Suttell, Hammer & White, A.P.C. P.O. Box C-90006 Bellevue, WA 98009 TELEPHONE NO. (425) 455-8220/ (888) 788-8355 FAX NO. (425) 453-3239 ATTORNEY FOR: Bank of America, N.A.	FOR COURT USE ONLY <p style="text-align: center;">FILED Clerk of the Superior Court</p> <p style="text-align: center;">JAN 23 2017</p> <p style="text-align: center;">BY: <u>B. Follis</u> Clerk</p>		
SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN DIEGO STREET ADDRESS: 330 West Broadway MAILING ADDRESS: CITY AND ZIP CODE: San Diego CA 92101 BRANCH NAME: Hall of Justice Courthouse			
PLAINTIFF: Bank of America, N.A. DEFENDANT: Ellen D Foggiano			
<p style="text-align: center;">JUDGMENT</p> <table border="0" style="width: 100%;"> <tr> <td style="width: 50%;"> <input checked="" type="checkbox"/> By Clerk <input checked="" type="checkbox"/> By Default <input type="checkbox"/> After Court Trial <input type="checkbox"/> By Court <input type="checkbox"/> On Stipulation <input type="checkbox"/> Defendant did not Appear at Trial </td> <td style="width: 50%; vertical-align: top;"> CASE NUMBER: 37-2016-00023198-CL-CL-CTL </td> </tr> </table>		<input checked="" type="checkbox"/> By Clerk <input checked="" type="checkbox"/> By Default <input type="checkbox"/> After Court Trial <input type="checkbox"/> By Court <input type="checkbox"/> On Stipulation <input type="checkbox"/> Defendant did not Appear at Trial	CASE NUMBER: 37-2016-00023198-CL-CL-CTL
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JUDGMENT

1. **BY DEFAULT**

- a. Defendant was properly served with a copy of the summons and complaint.
- b. Defendant failed to answer the complaint or appear and defend the action within the time allowed.
- c. Defendant's default was entered by the clerk upon plaintiff's application.
- d. **Clerk's Judgment** (Code Civ. Proc., §585 (a)). Defendant was sued only on a contract or judgment of a court of this state for the recovery of money.
- e. **Court's Judgment** (Code Civ. Proc., §585 (b)). This court considered
 - (1) Plaintiff's testimony and other evidence
 - (2) Plaintiff's written declaration (Code Civ. Proc., §585 (d)).

2. **ON STIPULATION**

- a. Plaintiff and defendant agreed (stipulated) that a judgment be entered in this case. The court approved the stipulated judgment and
- b. the signed written stipulation was filed in the case.
- c. the stipulation was stated in open court the stipulation was stated on the record

3. **AFTER COURT TRIAL**

- a. The case was tried on (*date and time*):
before (*name of Judicial Officer*):
- b. Appearances by:

<input type="checkbox"/> Plaintiff (<i>each name</i>): (1) _____ (2) _____ <input type="checkbox"/> Continued on Attachment 3b	<input type="checkbox"/> Plaintiff's attorney (<i>each name</i>): (1) _____ (2) _____
<input type="checkbox"/> Defendant (<i>each name</i>): (1) _____ (2) _____ <input type="checkbox"/> Continued on Attachment 3b	<input type="checkbox"/> Defendant's attorney (<i>each name</i>): (1) _____ (2) _____
- c. Defendant did not appear in trial. Defendant was properly served with notice of trial.
- d. A statement of decision (Code Civ. Proc., § 632)

JUDGMENT IS ENTERED AS FOLLOWS BY: [] **THE COURT** [**X**] **THE CLERK**

4. [] Stipulated Judgment. Judgment is entered according to the stipulation of the parties.

5. **PARTIES.** Judgment is

- | | |
|--|---|
| a. [X] for Plaintiff (<i>each name</i>):
Bank of America, N.A.
and against defendant (<i>names</i>):
Ellen D Foggiano, an individual | c. [] for cross-complainant (<i>each name</i>):

and against cross-defendant (<i>name each</i>): |
| b. [] for defendant (<i>each name</i>): | d. [] for cross-defendant (<i>each name</i>): |

6. **AMOUNT.**

- | | |
|--|---|
| a. [X] Defendant named in item 5a. above must pay plaintiff on the complaint: | c. [] Cross-complainant named in item 5c must pay cross complainant on the cross-complaint |
|--|---|

(1) [X] Damages	\$16227.04
(2) [] Prejudgment interest at the annual rate of 0.00%	\$0.00
(3) [] Attorneys Fees	\$0.00
(4) [X] Costs	\$439.50
(5) [] Other (<i>specify</i>):	\$0.00
(3) TOTAL	\$16666.54

(1) [] Damages	\$
(2) [] Prejudgment interest at the annual rate of _____%	\$
(3) [] Attorneys Fees	\$
(4) [] Costs	\$
(5) [] Other (<i>specify</i>):	\$
(3) TOTAL	\$

- | | |
|--|---|
| b. [] Plaintiff to receive nothing from Defendant named in 5b
[] Defendant named in item 5b to recover costs \$
[] and attorney fees \$ | d. [] Cross-complainant to receive nothing from cross-defendant named in item 5d
[] Cross recover defendant named in item 5d to recover costs \$
[] and attorney fees \$ |
|--|---|

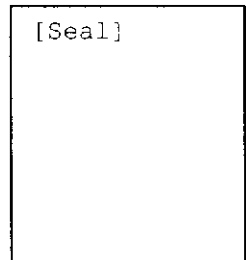
7. [] Other (*specify*): \$0.00

Date: _____

[] _____
JUDICIAL OFFICER

Date: **JAN 23 2017**

[] Clerk, by *B. Follis*, Deputy
B. FOLLIS



CLERK'S CERTIFICATE (optional)

I certify that this is a true copy of the original judgment on file in the court.

Date: _____
Clerk, by _____, Deputy