

EJ-130

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number and address)		FOR COURT USE ONLY
Jeffrey H. Lowenthal (SBN 111763); Thomas J. Lloyd (SBN 305507) Steyer Lowenthal Boodrookas Alvarez & Smith LLP 235 Pine Street, 15th Floor, San Francisco, CA 94104		
TELEPHONE NO (415) 421-3400 FAX NO (Optional) E-MAIL ADDRESS (Optional) tjlloyd@steyerlaw.com ATTORNEY FOR (Name) Plaintiffs/Judgment Creditors Gerald Ornstein et al. <input checked="" type="checkbox"/> ATTORNEY FOR <input checked="" type="checkbox"/> JUDGMENT CREDITOR <input type="checkbox"/> ASSESSOR OF RECORD		
SUPERIOR COURT OF CALIFORNIA, COUNTY OF U.S. District Court, N.D. CA STREET ADDRESS 1301 Clay Street MAILING ADDRESS CITY AND ZIP CODE Oakland, CA 94612 BRANCH NAME: Oakland Division, Northern District of California		
PLAINTIFF: Gerald Ornstein, et al.		
DEFENDANT: Gibson T. Canites, et al.		
WRIT OF	<input type="checkbox"/> EXECUTION (Money Judgment) <input type="checkbox"/> POSSESSION OF <input type="checkbox"/> Personal Property <input checked="" type="checkbox"/> Real Property <input checked="" type="checkbox"/> SALE	CASE NUMBER: 4-18-cv-01616-PJH
<p>1. To the Sheriff or Marshal of the County of: San Francisco, Northern District of California You are directed to enforce the judgment described below with daily interest and your costs as provided by law.</p> <p>2. To any registered process server: You are authorized to serve this writ only in accord with CCP 699.080 or CCP 715.040.</p> <p>3. (Name): See Attachment 3 is the <input checked="" type="checkbox"/> judgment creditor <input type="checkbox"/> assignee of record whose address is shown on this form above the court's name.</p> <p>4. Judgment debtor (name and last known address): <input type="checkbox"/> Aaren R. Canites 448 15th Ave. San Francisco, CA 94118</p> <p><input type="checkbox"/> Gibson T. Canites 448 15th Ave. San Francisco, CA 94118</p> <p><input checked="" type="checkbox"/> Additional judgment debtors on next page</p> <p>5. Judgment entered on (date): July 9, 2019</p> <p>6. <input type="checkbox"/> Judgment renewed on (dates):</p> <p>7. Notice of sale under this writ a. <input checked="" type="checkbox"/> has not been requested. b. <input type="checkbox"/> has been requested (see next page).</p> <p>8. <input type="checkbox"/> Joint debtor information on next page.</p> <p>9. <input checked="" type="checkbox"/> See next page for information on real or personal property to be delivered under a writ of possession or sold under a writ of sale.</p> <p>10. <input type="checkbox"/> This writ is issued on a sister-state judgment.</p> <p>11. Total judgment \$</p> <p>12. Costs after judgment (per filed order or memo CCP 685.090) \$</p> <p>13. Subtotal (add 11 and 12) \$</p> <p>14. Credits \$</p> <p>15. Subtotal (subtract 14 from 13) \$</p> <p>16. Interest after judgment (per filed affidavit CCP 685.050) (not on GC 6103.5 fees) \$</p> <p>17. Fee for issuance of writ \$</p> <p>18. Total (add 15, 16, and 17) \$</p> <p>19. Levying officer: (a) Add daily interest from date of writ (at the legal rate on 15) (not on GC 6103.5 fees) of \$ (b) Pay directly to court costs included in 11 and 17 (GC 6103.5, 68511.3; CCP 699.520(i)) \$</p> <p>20. <input type="checkbox"/> The amounts called for in items 11-19 are different for each debtor. These amounts are stated for each debtor on Attachment 20.</p> <p>Issued on (date): 8/9/19 Clerk, by <i>Char. Pierce</i>, Deputy</p> <p>NOTICE TO PERSON SERVED: SEE NEXT PAGE FOR IMPORTANT INFORMATION.</p>		

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PLAINTIFF: Gerald Ornstein, et al.	CASE NUMBER:
DEFENDANT: Gibson T. Canites, et al.	4-18-cv-01616-PJH

— Items continued from page 1—

21. Additional judgment debtor (name and last known address):

Rose Liang-Canites
448 15th Ave.
San Francisco, CA 94118

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

23. Joint debtor was declared bound by the judgment (CCP 989-994)

a. on (date):
b. name and address of joint debtor:

a. on (date):
b. name and address of joint debtor:

c. additional costs against certain joint debtors (itemize):

24. (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)):

(1) The 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.
(a) \$ _____ was the daily rental value on the date the complaint was filed.

(b) The court will hear objections to enforcement of the judgment under CCP 1174.3 on the following dates (specify):

b. Possession of personal property.

If delivery cannot be had, then for the value (itemize in 9e) specified in the judgment or supplemental order.

c. Sale of personal property.

d. Sale of real property.

e. Description of property:

The real property commonly known as 448 15th Avenue, San Francisco, CA 94118 (APN Block 1350, Lot 020), and legally described in Exhibit 1 hereto.

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.

► A Claim of Right to Possession form accompanies this writ (unless the Summons was served in compliance with CCP 415.46).

SHORT TITLE:	CASE NUMBER:
Gerald Ornstein, et al. v. Gibson T. Canites, et al.	4-18-cv-01616-PJH

1 ATTACHMENT 3
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5 Plaintiffs Gerald Ornstein, John P. Hunter, IRA Services Trust Company CFBO Joan Faye Cantrock IRA,
 6 Norman C. Schultz, Trustee of The Norman C. Schultz Trust under Declaration of Trust dated 8/30/2012,
 7 Richard Gonerko and Diana Ferrari, Trustees of the Exempt Trust Share for Richard Gonerko created
 8 under the Marie Eugenia Zonn Trust Agreement dated October 9, 1990 FBO Richard Gonerko, J. Robert
 9 Taylor and Donna C. Taylor, Trustees of 2005 Taylor Family Trust, Eva Hindahl, trustee of The Eva
 10 Hindahl, Separate Property Living Trust Dated 06/30/2014, Robert J. Accinelli, trustee of the Robert John
 11 Accinelli Inter Vivos Trust UA 06/15/1994, Gerald C. Vanoli and Lorraine A. Vanoli, and Theodore J.
 12 Gradman Ph. D. 401K Plan

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26 (Required for verified pleading) The items on this page stated on information and belief are (specify item numbers, **not line**
 27 **numbers**):

This page may be used with any Judicial Council form or any other paper filed with the court.

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EXHIBIT 1

A.P.N.: BLK: 1530 LOT: 020

COMMENCING AT A POINT ON THE EASTERLY LINE OF FIFTEENTH AVENUE, DISTANT THEREON 291 FEET 11-1/2 INCHES SOUTHERLY FROM THE SOUTHERLY LINE OF GEARY STREET; AND RUNNING THENCE SOUTHERLY ALONG SAID LINE OF FIFTEENTH AVENUE 25 FEET 3-1/2 INCHES; THENCE AT A RIGHT ANGLE EASTERLY 114 FEET AND 3 INCHES, MORE OR LESS, TO THE EASTERLY BOUNDARY LINE OF PLEASANT VALLEY HOMESTEAD ASSOCIATION, AS PER MAP THEREOF RECORDED MARCH 21, 1870, IN THE OFFICE OF THE RECORDER OF THE CITY AND COUNTY OF SAN FRANCISCO, STATE OF CALIFORNIA; THENCE NORTH 12-1/4°, WEST 25 FEET AND 7-7/16 INCHES MORE OR LESS ALONG SAID LAST MENTIONED LINE TO A POINT THEREON DISTANT 291 FEET AND 11-1/2 INCHES SOUTHERLY FROM THE SOUTHERLY LINE OF GEARY STREET, MEASURED ALONG A LINE DRAWN AT RIGHT ANGLES THERETO; AND THENCE WESTERLY PARALLEL WITH THE SOUTHERLY LINE OF GEARY STREET 110 FEET AND 5-1/2 INCHES TO THE EASTERLY LINE OF 15TH AVENUE AND THE POINT OF COMMENCEMENT.

EXCEPTING THEREFROM ALL METALS AND MINERALS, AND ALL OIL, GAS AND OTHER HYDROCARBON SUBSTANCES IN OR UNDER THE LANDS HEREBY CONVEYED, TOGETHER WITH THE RIGHT TO ENTER UPON THE SAID LANDS FOR THE PURPOSE OF PROSPECTING, DEVELOPING AND EXTRACTING THE SAME, AND TO USE SO MUCH OF THE SURFACE OF THE SAID LAND AND THE UNDERGROUND WATER THEREIN AS MAY BE REASONABLY NECESSARY IN CONNECTION WITH SUCH PROSPECTING, DEVELOPMENT AND EXTRACTING AND THE STORAGE AND TREATMENT OF THE METALS AND MINERALS, AND OF THE OIL, GAS AND OTHER HYDROCARBON SUBSTANCES, AND FOR THE ERECTION, MAINTENANCE, REPAIR AND REPLACEMENT OF ALL STRUCTURES CUSTOMARILY USED IN CONNECTION WITH SUCH PROSPECTING, DEVELOPMENT, EXTRACTION, TREATMENT AND STORAGE; ALSO RESERVING THE RIGHT TO ENTER INTO ANY AND ALL AGREEMENTS FOR THE EXTRACTION AND EXHAUSTION OF ANY OIL, GAS OR OTHER HYDROCARBON SUBSTANCES UNDER COMMUNITY LEASES OR AGREEMENTS WHEREUNDER THE OIL, GAS, AND OTHER HYDROCARBON SUBSTANCES IN OR UNDER THE SAID LAND OR NEIGHBORING LANDS MAY BE EXTRACTED BY MEANS OF WELLS LOCATED ON THE LAND HEREBY CONVEYED OR ON OTHER LANDS IN THE SAME OIL OR GAS FIELDS, AS RESERVED IN THE DEED FROM SHRINER'S HOSPITALS FOR CRIPPLED CHILDREN, RECORDED MARCH 13, 1987, IN BOOK E297, PAGE 1025, OFFICIAL RECORDS.