

1 Aaron M. Waite, Esq.
 Nevada Bar No.: 7947
 2 Jason M. Peck, Esq.
 Nevada Bar No.: 10131
 3 THE COOPER CASTLE LAW FIRM, LLP
 4 5275 South Durango Drive
 Las Vegas, Nevada 89113
 5 (702) 435-4175 Telephone
 (702) 877-7424 Facsimile
 6 Email: japeck@ccfirm.com
 Attorneys for Plaintiff
 7 *Federal Deposit Insurance Corporation, as Receiver*
for La Jolla Bank, FSB
 8

9 **UNITED STATES DISTRICT COURT**

10 **DISTRICT OF NEVADA**

11 FEDERAL DEPOSIT INSURANCE)
 CORPORATION, as Receiver for LA JOLLA) Case No.: 2:13-ms-00025
 12 BANK, FSB,)
)

13 Plaintiff,

14 vs.)

WRIT OF EXECUTION

15 DANNY TARKANIAN, an individual; AMY)
 M. TARKANIAN, an individual; JERRY)
 16 TARKANIAN, an individual; LOIS)
 TARKANIAN, an individual; GEORGE)
 17 TARKANIAN, an individual; ZAFRIR)
 DIAMANT, an individual; DOUGLAS R.)
 18 JOHNSON, an individual; DEBRA)
 JOHNSON, an individual; and DOES 1)
 19 through 100, inclusive,)
)

20 Defendants.)

WRIT OF EXECUTION

1
2 TO THE UNITED STATES MARSHALL FOR THE DISTRICT OF NEVADA:

3 On April 17, 2013, a Judgment was entered in the docket of the above-entitled Court
4 and action, in favor of FEDERAL DEPOSIT INSURANCE CORPORATION, as Receiver
5 for LA JOLLA BANK, FSB as Judgment Creditor, and against DANNY TARKANIAN,
6 AMY TARKANIAN, JERRY TARKANIAN, and LOIS TARKANIAN as Judgment
7 Debtors, for

8 \$ 16,995,005.17 principal,

9 \$ 0.00 attorney fees,

10 \$ 0.00 interest, and

11 \$ 0.00 costs, making a total of:

12 \$ 16,995,005.17 JUDGMENT AS ENTERED.

13
14 WHEREAS, according to an affidavit and request for issuance of writ of execution
15 filed herein, it appears that further sums have accrued since the entry of judgment, to wit:

16 \$ 32,593.12 accrued interest, computed at 10%

17 \$ 398.40 accrued costs and fees, making a total of

18 \$ 32,991.52 ACCRUED INTEREST, COSTS AND FEES.

19 CREDIT must be given for payments and partial satisfactions in the amount of
20 \$0.00 which is to be first credited against the total accrued interest, costs and fees, with
21 any excess credited against the Judgment as entered, leaving a net balance of
22 \$ 17,055,933.65 ACTUALLY DUE on the date issuance of this writ, of which
23 \$ 16,995,005.17 is due on the Judgment as entered, and bears interest at 10% per annum, in
24 the amount of \$ 4,656.16 PER DAY, from the date of entry of judgment to the date of
25

1 issuance on this writ, to which must be added the accrued costs and fees and the commissions
2 and costs of the officer executing this writ.

3 Notice by mail of any sale under the writ of execution [] Has [X] Has Not been
4 requested. The following named persons have requested such notice of sale:

5 **NAME** **ADDRESS**

6 n/a

n/a

7 YOU ARE THEREFORE COMMANDED to satisfy the said Judgment with interest
8 and costs as provided by law and your costs and disbursements out of the personal property of
9 said debtor, except that for any pay period, 75 percent of the disposable earnings of the
10 debtor during this period or for each week of the period 30 times the minimum hour wage
11 prescribed by section 6(a)(1) of the Federal Fair Labor Standards Act of 1938 [29 U.S.C Sec.
12 206(a)(1)], and in effect at the time the earnings are payable, whichever is greater, is exempt
13 from any levy of execution pursuant to this writ, and if sufficient personal property cannot be
14 found, then out of his real property; or if the Judgment be a lien upon real property, then out
15 of the real property belonging to such debtor, and make return of this writ within not less than
16 ten (10) days nor more than sixty (6) days after your receipt thereof with what you have done
17 endorsed hereon.
18

19 Judgment Creditor/Plaintiff will identify to the U.S. Marshall or his representative
20 assets that are to be seized to satisfy the judgment/order.

21 YOU ARE FURTHER COMMANDED if necessary, to turn over any property seized
22 under this order to a third party custodian or to the plaintiff. The U.S. Marshal or his
23 representative is authorized to use reasonable force in the execution of this Judgment/Order
24
25

and the Judgment Creditor/Plaintiff will hold the U.S. Marshals Service harmless of any liability that may be imposed as a result of the execution of the Judgment.

LANCE S. WILSON

CLERK

Lance S. Wilson

(By) DEPUTY CLERK



May 1, 2013

DATE

Respectfully submitted by:
THE COOPER CASTLE LAW FIRM, LLP

Aaron M. Waite

Aaron M. Waite, Esq.
Nevada Bar No.: 7947

Jason M. Peck, Esq.
Nevada Bar No.: 10131
5275 South Durango Drive
Las Vegas, Nevada 89113
(702) 435-4175 Telephone

Attorneys for Plaintiff
*Federal Deposit Insurance Corporation, as Receiver
for La Jolla Bank, FSB*