

APN# _____

Recording Requested by/Mail to:

Holley Driggs Walch

Name: Fine Wray Puzey & Thompson

Address: 400 S. 4th Street, Third Floor

City/State/Zip: Las Vegas, Nevada 89101

Mail Tax Statements to:

Name: _____

Address: _____

City/State/Zip: _____

Notice of Filing Application of Foreign Judgment Against
Patrick R. Smorra, Sr. and Patrick R. Smorra, Jr.

Title of Document (required)


------(Only use if applicable)-----

The undersigned hereby affirms that the document submitted for recording
DOES contain personal information as required by law: (check applicable)

Affidavit of Death – NRS 440.380(1)(A) & NRS 40.525(5)

Judgment – NRS 17.150(4)

Military Discharge – NRS 419.020(2)

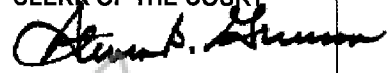


Signature

Ogonna M. Brown, Esq.

Printed Name

This document is being (re-)recorded to correct document # _____, and is correcting



1 **NOFA**
2 RICHARD F. HOLLEY, ESQ.
3 Nevada Bar No. 3077
4 E-mail: rholley@nevadafirm.com
5 OGONNA M. BROWN, ESQ.
6 Nevada Bar No. 7589
7 E-mail: obrown@nevadafirm.com
8 HOLLEY DRIGGS WALCH
9 FINE WRAY PUZEY & THOMPSON
10 400 South Fourth Street, Third Floor
11 Las Vegas, Nevada 89101
12 Telephone: 702/791-0308
13 Facsimile: 702/791-1912

14 *Attorneys for Bank of the West*

15 **DISTRICT COURT**
16 **CLARK COUNTY, NEVADA**

17 BANK OF THE WEST,
18
19 Plaintiff,

Case No.: A-17-760296-F
Dept. No.: 14

20 v.

21 NAPA CHRYSLER, INC. dba NAPA
22 CHRYSLER JEEP DODGE RAM VOLVO
23 KIA; PATRICK R. SMORRA, SR., an
24 individual; PATRICK R. SMORRA, JR., an
25 individual; and DOES 1 through 50, inclusive,

26 Defendants.

27 **NOTICE OF FILING APPLICATION OF FOREIGN JUDGMENT AGAINST**
28 **PATRICK R. SMORRA, SR. AND PATRICK R. SMORRA, JR.**

TO: PATRICK R. SMORRA, SR.

TO: PATRICK R. SMORRA, JR.

PLEASE TAKE NOTICE that an Application of Foreign Judgment Against Patrick R. Smorra, Sr. and Patrick R. Smorra, Jr., a copy of which is attached hereto as **Exhibit "1"**, was filed in the above-referenced case on August 21, 2017, and an Affidavit of Judgment Creditor, a copy of which is attached hereto as **Exhibit "2"**, was filed in the above-referenced case on August 21, 2017. Additionally, the foreign judgment that is attached to the Application of Foreign Judgment is valid and enforceable.

HOLLEY•DRIGGS•WALCH
FINE•WRAY•PUZEY•THOMPSON
HDW

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The names and post office addresses of the Judgment Debtors are:

Patrick R. Smorra, Sr.
3468 Pine Estates Drive
West Bloomfield, Michigan 48323-1953

Patrick R. Smorra, Jr.
1507 Centennial Drive
Lodi, California 95242

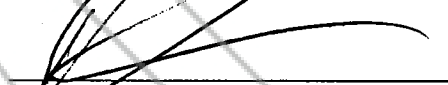
Patrick R. Smorra, Jr.
P.O. Box 4210
Stateline, Nevada 89449

The name and post office address of the Judgment Creditor's attorney is:

Ogonna M. Brown, Esq.
Holley Driggs Walch Fine Wray Puzey & Thompson
400 South Fourth Street, Third Floor
Las Vegas, Nevada 89101

DATED this 22nd day of August, 2017.

**HOLLEY DRIGGS WALCH
FINE WRAY PUZEY & THOMPSON**


RICHARD F. HOLLEY, ESQ.
Nevada Bar No. 3077
OGONNA M. BROWN, ESQ.
Nevada Bar No. 7589
400 South Fourth Street, Third Floor
Las Vegas, Nevada 89101

Attorneys for Bank of the West

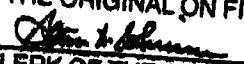
CERTIFIED COPY
DOCUMENT ATTACHED IS A
TRUE AND CORRECT COPY
OF THE ORIGINAL ON FILE

CLERK OF THE COURT
DEC 12 2017



EXHIBIT “1”

Application of Foreign Judgment



1 **AFJ**
2 RICHARD F. HOLLEY, ESQ.
3 Nevada Bar No. 3077
4 E-mail: rholley@nevadafirm.com
5 OGONNA M. BROWN, ESQ.
6 Nevada Bar No. 7589
7 E-mail: obrown@nevadafirm.com
8 HOLLEY DRIGGS WALCH
9 FINE WRAY PUZEY & THOMPSON
10 400 South Fourth Street, Third Floor
11 Las Vegas, Nevada 89101
12 Telephone: 702/791-0308
13 Facsimile: 702/791-1912

14 *Attorneys for Bank of the West*

DISTRICT COURT
CLARK COUNTY, NEVADA

15 BANK OF THE WEST,
16
17 Plaintiff,

Case No.: A-17-760296-F
Dept. No.: Department 14

18 v.

19 NAPA CHRYSLER, INC. dba NAPA
20 CHRYSLER JEEP DODGE RAM VOLVO
21 KIA; PATRICK R. SMORRA, SR., an
22 individual; PATRICK R. SMORRA, JR., an
23 individual; and DOES 1 through 50, inclusive,
24
25 Defendants.

APPLICATION OF FOREIGN JUDGMENT AGAINST PATRICK R. SMORRA, SR.
AND PATRICK R. SMORRA, JR.

26 Plaintiff Bank of the West (the "Plaintiff"), by and through its counsel, Richard F. Holley,
27 Esq. and Ogonna M. Brown, Esq. of the law firm of Holley Driggs Walch Fine Wray Puze &
28 Thompson, hereby files its Foreign Judgments pursuant to Chapter 17 of the Nevada Revised
Statutes, and more specifically NRS §17.350, and registers exemplified copy of the Default
Judgment by Court Pursuant to CCP §585(d), attached hereto as **Exhibit "1"**, as follows:

29 ...
30 ...

HOLLEY-DRIGGS-WALCH
FINE-WRAY-PUZEY-THOMPSON
HDW

HdW | **HOLLEY-DRIGGS-WALCH**
FINE-WRAY-PUZEY-THOMPSON

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Default Judgment by Court Pursuant to CCP §585(d) from the Superior Court of the State of California in and for County of Contra Costa, signed by Superior Court Judge Judith S. Craddick on June 30, 2017 and exemplified on August 15, 2017.

I declare under penalty of perjury that the foregoing is true and correct.

Dated this 21st day of August, 2017

HOLLEY DRIGGS WALCH
FINE WRAY PUZEY & THOMPSON



RICHARD F. HOLLEY, ESQ.
Nevada Bar No. 3077
OGONNA M. BROWN, ESQ.
Nevada Bar No. 7589
400 South Fourth Street, Third Floor
Las Vegas, Nevada 89101

Attorneys for Bank of the West

EXHIBIT "1"

CERTIFICATE OF AUTHENTICATION

STATE OF CALIFORNIA)
County of Contra Costa,)

CLERK'S CERTIFICATE OF ATTESTATION

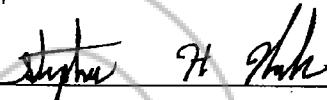
I, Stephen H. Nash, Clerk of the Court for the Superior Court of Contra Costa County, State of California, do hereby certify the annexed copy of the following

Judgment entered July 3rd 2017

to be the correct copy of the original filed thereof, now remaining and forming a part of the records of the office of said Clerk.

In witness whereof I have hereunto set my hand and affixed the Seal of said Superior Court, at Martinez, in the County of Contra Costa, State of California, this 15th day of August, 2017





CLERK OF THE COURT FOR THE SUPERIOR COURT OF CONTRA COSTA COUNTY, STATE OF CALIFORNIA

STATE OF CALIFORNIA,)
County of Contra Costa,)

CERTIFICATE OF JUDGE

I, Jill Fannin, a Judge of the Superior Court of the State of California and for the County of Contra Costa, do hereby certify that Stephen H. Nash, who signed the foregoing Certificate of Attestation, now is, and was at the time of the signing and sealing of the same, the duly appointed and qualified Executive Clerk of the Court for the Superior Court of Contra Costa County, State of California; that he was the legal keeper of the records and seal of said Superior Court; that his signature, as it appears signed to the said Certificate of Attestation, is his genuine signature; that the seal affixed to said Certificate of Attestation is the Seal of said Superior Court, and that the attestation is in due form of law and by the proper officer.

In witness whereof I have hereunto set my hand and affixed the Seal of said Superior Court, at Martinez, in the County of Contra Costa, State of California, this 15th day of August, 2017





JUDGE OF THE SUPERIOR COURT

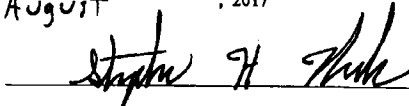
STATE OF CALIFORNIA,)
County of Contra Costa,)

CERTIFICATE OF CLERK

I, Stephen H. Nash, Clerk of the Court for the Superior Court of Contra Costa County, State of California, do hereby certify that, Jill Fannin, who signed the foregoing Certificate, now is, and was at the time of the signing and sealing of the same a Judge of the Superior Court of the State of California in and for the County of Contra Costa, duly commissioned and qualified; that said Superior Court is a Court of record of the State of California and has a Seal; that the Seal affixed to the foregoing certificate is the Seal of Said Superior Court and that the signature of said Judge, as it appears signed to the said certificate, is her genuine signature.

In witness whereof I have hereunto set my hand and affixed the Seal of said Superior Court, at Martinez, in the County of Contra Costa, State of California, this 15th day of August, 2017





CLERK OF THE COURT FOR THE SUPERIOR COURT OF CONTRA COSTA COUNTY, STATE OF CALIFORNIA

mf (2)

FAXED ORIGINAL

File By Fax Prepared by First Legal
1138 Howard St. SF, CA 94103
415-626-3111

1 BRUCE A. SCHEIDT, State Bar No. 155088
bscheidt@kmtg.com
2 BRETT R. ROSSI, State Bar No. 114569
brossi@kmtg.com
3 GABRIEL P. HERRERA, State Bar No. 287093
gherrera@kmtg.com
4 KRONICK, MOSKOVITZ, TIEDEMANN & GIRARD
A Professional Corporation
5 400 Capitol Mall, 27th Floor
Sacramento, California 95814
6 Telephone: (916) 321-4500
Facsimile: (916) 321-4555

7 Attorneys for Plaintiff
8 BANK OF THE WEST

9 SUPERIOR COURT OF THE STATE OF CALIFORNIA
10 COUNTY OF CONTRA COSTA

12 BANK OF THE WEST,
13 Plaintiff,
14 v.
15 NAPA CHRYSLER, INC. dba NAPA
CHRYSLER JEEP DODGE RAM VOLVO
16 KIA, PATRICK R. SMORRA, SR.,
PATRICK R. SMORRA, JR., and DOES 1
17 through 50, inclusive,
18 Defendants.

Case No. C16-00145
19 ~~(PROPOSED)~~ DEFAULT JUDGMENT
BY COURT PURSUANT TO CCP §
585(d)

Action Filed: January 27, 2016
Trial Date: N/A

20 Having considered Bank of the West's ("Bank") Request for Default Judgment by Court
21 Pursuant to California Code of Civil Procedure § 585(d) against defendants Napa Chrysler, Inc.
22 dba Napa Chrysler Jeep Dodge Ram Volvo Kia, Patrick R. Smorra, Sr., and Patrick R. Smorra, Jr.
23 (collectively "Defendants"), the evidence in support, and good cause appearing therefor,

24 IT IS HEREBY ORDERED, ADJUDGED AND DECREED that judgment is entered as
25 follows:

26 I. In favor of the Bank and against defendant Napa Chrysler, Inc. dba Napa Chrysler
27 Jeep Dodge Ram Volvo Kia on the Bank's First Cause of Action for Breach of Contract, for

28 ///

FILED
JUL 03 2017

STEPHEN H. MARTINEZ, CLERK OF THE COURT
SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF CONTRA COSTA

By C. FOREFANG Deputy Clerk

1 damages in the total sum of \$1,542,336.99, including reasonable attorneys' fees and costs, with
2 interest continuing to accrue at the legal rate.

3 2. In favor of the Bank and against defendants Patrick R. Smorra, Sr., and Patrick R.
4 Smorra, Jr. on the Bank's Second Cause of Action for Breach of Guaranty, for damages in the total
5 sum of \$1,542,336.99, including reasonable attorneys' fees and costs, with interest continuing to
6 accrue at the legal rate.

7 3. In favor of the Bank and against defendant Napa Chrysler, Inc. dba Napa Chrysler
8 Jeep Dodge Ram Volvo Kia on the Bank's Third Cause of Action for Conversion, for damages in
9 the amount of \$993,515.07

10 4. The damages are to be paid jointly and severally by the Defendants and are not
11 awarded in the aggregate. The Bank shall not be entitled to a double recovery.

12
13
14 Dated: 6-30-17



JUDGE OF THE SUPERIOR COURT



EXHIBIT “2”

Affidavit of Judgment Creditor



1 **AFJC**
2 RICHARD F. HOLLEY, ESQ. (NBN 3077)
3 E-mail: rholley@nevadafirm.com
4 OGONNA M. BROWN, ESQ. (NBN 7589)
5 E-mail: obrown@nevadafirm.com
6 HOLLEY DRIGGS WALCH
7 FINE WRAY PUZEY & THOMPSON
8 400 South Fourth Street, Third Floor
9 Las Vegas, Nevada 89101
10 Telephone: 702/791-0308
11 Facsimile: 702/791-1912
12 *Attorneys for Bank of the West*

DISTRICT COURT
CLARK COUNTY, NEVADA

10 BANK OF THE WEST,
11 Plaintiff,

Case No.: A-17-760296-F
Dept. No.: Department 14

12 v.

13 NAPA CHRYSLER, INC. dba NAPA
14 CHRYSLER JEEP DODGE RAM VOLVO
15 KIA; PATRICK R. SMORRA, SR., an
16 individual; PATRICK R. SMORRA, JR., an
17 individual; and DOES 1 through 50, inclusive,
18 Defendants.

AFFIDAVIT OF JUDGMENT CREDITOR

19 OGONNA M. BROWN, ESQ., being first duly sworn upon oath, deposes and says as
20 follows:

21 1. The name and last known post office addresses of the judgment debtors are:

22 Patrick R. Smorra, Sr.
23 3468 Pine Estates Drive
24 West Bloomfield, Michigan 48323-1953

25 Patrick R. Smorra, Jr.
26 1507 Centennial Drive
27 Lodi, California 95242

28 Patrick R. Smorra, Jr.
P.O. Box 4210
Stateline, Nevada 89449

...

HOLLEY-DRIGGS-WALCH
FINE-WRAY-PUZEY-THOMPSON
HDW


HOLLEY-DRIGGS-WALCH
FINE-WRAY-PUZEY-THOMPSON
HDW

1 2. The foreign judgment that is attached to the Application of Foreign Judgment
2 Against Patrick R. Smorra, Sr. and Patrick R. Smorra, Jr. (the "Judgment") is valid and
3 enforceable¹.

4 3. As of June 30, 2017, there remains an outstanding balance of \$1,542,336.99 due on
5 the Judgment in favor of Bank of the West and against Judgment Debtors Patrick R. Smorra, Sr.
6 and Patrick R. Smorra, Jr. ("Judgment Debtors"), including reasonable attorneys' fees and costs,
7 with interest continuing to accrue at the legal rate. Post Judgment Interest accrues pursuant to NRS
8 17.130, at a rate equal to the prime rate at the largest bank in Nevada as ascertained by the
9 Commissioner of Financial Institutions on January 1 or July 1, as the case may be, immediately
10 preceding the date of judgment, plus 2 percent. The rate must be adjusted accordingly on each
11 January 1 and July 1 thereafter until the judgment is satisfied and paid in full.

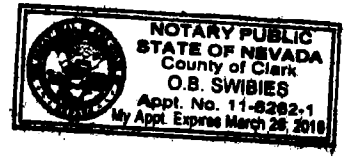
12 I declare under penalty of perjury that the foregoing is true and correct to the best of my
13 knowledge and belief.


14 Dated this 21st day of August, 2017.


OGONNA M. BROWN, ESQ.
Nevada Bar No. 7589
Attorneys for Plaintiff

18 STATE OF NEVADA)
19) ss.
20 COUNTY OF CLARK)

21 SUBSCRIBED AND SWORN to before me
22 this 21st day of August, 2017, by
23 Ogonna M. Brown.



24 
25 NOTARY PUBLIC in and for said County and State

26 ¹ On February 11, 2016, Defendant Napa Chrysler, Inc. dba Napa Chrysler Jeep Dodge Ram Volvo Kia ("Napa
27 Chrysler") filed for Chapter 7 relief in United States Bankruptcy Court, Northern District of California (Santa Rosa),
28 under Case No. 16-10089. Therefore, Judgment Creditor will not pursue any efforts to enforce the Judgment against
Napa Chrysler at this time, absent of a dismissal of the bankruptcy case or the termination of the automatic stay under
11 U.S.C. § 362.

**AFFIDAVIT PURSUANT TO NRS 17.150(4)
REGARDING JUDGMENT DEBTORS**

I, Ogonna M. Brown, Esq., being first duly sworn under all penalties of perjury, do hereby depose and state:

I am an attorney at law, duly licensed to practice before all Courts of the State of Nevada and am employed with the law firm of Holley Driggs Walch Fine Wray Puzey & Thompson, counsel for Plaintiff Bank of the West.

(a) The judgment debtors' name and last known addresses:

Patrick R. Smorra, Sr.
213 Sunflower Circle
Stateline, NV 85449

Patrick R. Smorra, Jr.
P.O. Box 4210
Stateline, Nevada 89449

(b) Judgment Debtor Patrick R. Smorra, Sr. is a natural person;

- (1) The last four digits of Judgment Debtor Patrick R. Smorra, Sr.'s drivers' license number is unknown;
- (2) The last four digits of Judgment Debtor Patrick R. Smorra, Sr.'s social security number is XXX-XX-3474.

(c) Judgment Debtor Patrick R. Smorra, Jr is a natural person;

- (1) The last four digits of Judgment Debtor Patrick R. Smorra, Jr's drivers' license number is unknown;
- (2) The last four digits of Judgment Debtor Patrick R. Smorra, Jr's social security number is XXX-XX-0892.

FURTHER YOUR AFFIANT SAYETH NAUGHT.

Dated this 14th day of December, 2017.



Ogonna M. Brown, Esq.

State of Nevada)
County of Clark)

SUBSCRIBED and SWORN to before me this 14th day of December, 2017 by Ogonna M. Brown.



NOTARY PUBLIC

