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FILED
ALAMEDA COUNTY

AUG 21 2012

CLERK OF THE SUPERIOR COURT
By Nancy A. Rose
Deputy

AUG 15 2012

Received

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6 and Real Party in Interest,
The City of Oakland

8 SUPERIOR COURT OF THE STATE OF CALIFORNIA
9 COUNTY OF ALAMEDA, NORTHERN DIVISION

11 THE PEOPLE OF THE STATE OF
12 CALIFORNIA,
13 Plaintiff, and
14 CITY OF OAKLAND, a Municipal
Corporation,
15 Plaintiff and Real Party In Interest
16 v.
17 HIRAL PATEL, et al., and
18 DOES 1 through 30, inclusive,
19 Defendants.

Case No. RG10-552481

Case No. RG 10552485

ASSIGNED FOR ALL PURPOSES TO
JUDGE Brenda Harbin-Forte
DEPARTMENT 516

~~Proposed~~ JUDGMENT

Action Filed: December 21, 2010
Trial Date: February 10, 2012

ORIGINAL

1 Pursuant to the Final Statement of Decision in Regard to the National Lodge issued,
2 following the completion of trial, in this case on July 26, 2012, and the Order contained
3 therein, this Court enters its Judgment as follows:

- 4 1. That the Property upon which the National Lodge is situated, located at 1711
5 International Boulevard in Oakland, Alameda County, California, identified by
6 Alameda County Assessor's Parcel number 020-0112-008-01, and more
7 specifically described by the following legal description,

8 Freeman's Map of San Antonio, filed September 12, 1854, Map Book 1,
9 Page 2, Alameda County Records,

10 is hereby declared a public nuisance pursuant to California Penal Code § 11225(a).

- 11 2. Defendants are ordered to immediately abate all conditions that cause or maintain
12 the nuisance at the Property, pursuant to California Penal Code § 11225, *et seq.*
13 3. Defendants are permanently enjoined from permitting or maintaining the Property
14 as a public nuisance, pursuant to California Penal Code § 11225, *et seq.*
15 4. That the City recovers costs, including the costs incurred from discovery and
16 Oakland Police Department's investigations, as well as reasonable attorneys' fees,
17 from Defendants who shall be jointly and severally liable pursuant to California Civil
18 Code § 3496(b). Plaintiff may submit a memorandum of cost and make a motion
19 for attorney fees in accordance with standard post-judgment procedures and
20 deadlines.
21 5. That Defendants each pay a civil penalty in the amount of \$15,000.00 pursuant to
22 California Penal Code § 11230(b).
23 6. That an order of abatement is entered as part of the judgment in this case pursuant
24 to California Penal Code § 11230(a)(1), and that it directs the following:
25 a. That the building at the Property shall be closed, no later than July 31, 2012
26 against its use for any purpose, and kept closed for a period of one year,
unless sooner released by this Court upon petition by the receiver, or other
interested party.

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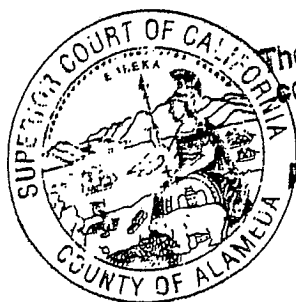
b. All fixtures, musical instruments and moveable property used in conducting, maintaining, aiding, or abetting the nuisance be removed from the buildings at the Property and sold in the manner provided for the sale of chattels under execution upon the written request by the Receiver appointed in paragraph eight and by approval of this Court; if such sale is approved by the Court, the proceeds shall be distributed in the manner so directed in Cal. Pen Code § 11231.

- 7 shall be ~~is~~ *best*
- 7. That a receiver ~~is~~ *shall be* appointed for so long as the Property is in the custody of the Court in accordance with Cal. Pen. Code § 11230(2) in a manner pursuant to California Code of Civil Procedure § 564.
 - 8. The Receiver shall be entitled to all fees and costs incurred due to the removal and sale of the items described in Paragraph 6(b) above pursuant to California Penal Code § 11230(a)(3).
 - 9. The Receiver shall be entitled to all costs incurred in closing and keeping closed the Property pursuant to California Penal Code §§ 11230(a)(4) and 11231(3).

DATED: August 21, 2012



Judge Brenda Harbin-Forte
BRENDA HARBIN-FORTE



The foregoing instruments are
correct copies of the original
on file in this office

ATTEST: SEP 05 2012

PAT SWEETEN
Executive Officer/Clerk of the Superior Court
State of California, County of Alameda
BY: *[Signature]* DEPUTY