

**SUPERIOR COURT OF CALIFORNIA,  
COUNTY OF ORANGE  
CENTRAL JUSTICE CENTER**

**MINUTE ORDER**

DATE: 03/15/2013

TIME: 09:00:00 AM

DEPT: C20

JUDICIAL OFFICER PRESIDING: David Chaffee

CLERK: Shirley Frahs

REPORTER/ERM: Christine L. Belasco CSR# 6189

BAILIFF/COURT ATTENDANT: Schallie Valencia

CASE NO: **30-2012-00546339-CU-BC-CJC** CASE INIT.DATE: 02/17/2012

CASE TITLE: **California Bank & Trust as Assignee of the Federal Deposit Insurance Corporation as Receiver for Vineyard Bank, N.A. vs. Hammond**

CASE CATEGORY: Civil - Unlimited      CASE TYPE: Breach of Contract/Warranty

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EVENT ID/DOCUMENT ID: 71664735

**EVENT TYPE:** Mandatory Settlement Conference

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**APPEARANCES**

Thomas E. Walling, from SPACH CAPALDI & WAGGAMAN LLP, present for Plaintiff(s).

Ryan Clark/Vice President from California Bank & Trust as Assignee of the Federal Deposit Insurance Corporation as Receiver for Vineyard Bank, N.A., Plaintiff, present.

BRUCE PEOTTER, counsel, present for Defendant(s).

Scott E. Peotter, Defendant is present.

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Settlement conference held with Temporary Judge Douglas Alani. Case is settled.

The terms of the settlement are recited in open court as follows:

Defendant shall pay plaintiff in the amount of \$100,000.00, payable in installments in five years. \$1,666.67 per month due on 1st of each month commencing April, 1st, 2013. Installment shall be paid no later than 10th of each month. A full dismissal will be filed within 30 days after last payment.

If in any event defendant defaults, Plaintiff may request for judgment by declaration of counsel of party in the amount of 5,528,000.00 with interest of 5% less any payments made by defendant.

Installment checks with loan # 131303541 payable to California Bank and Trust. Address: 1900 Main Street, Suite 200, Irvine, California 92614.

Each party to bear own attorney's fees and costs.

Both parties indicate on the record that they understand and agree to the terms as stated.

The Jury Trial set for 6/24/2013 at 9:00 AM in Department C20 is vacated.

CASE TITLE: California Bank & Trust as Assignee of the Federal Deposit Insurance Corporation as Receiver for CASE NO: **30-2012-00546339-CU-BC-CJC**

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The Order to Show Cause re: Dismissal on Settled Case is scheduled for 04/16/2013 at 08:30 AM in Department C20.

Since this is a long-term settlement, the case will be reassigned to the Omnibus Calendar on 4/16/2013.

Parties waive notice.