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ALAMEDA COUNTY

AUG 21 2012

CLERK OF THE SUPERIOR COURT  
By Nancy A. Pose  
Deputy

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5 the State of California and Plaintiff  
and Real Party in Interest,  
6 The City of Oakland

7 SUPERIOR COURT OF THE STATE OF CALIFORNIA  
8 COUNTY OF ALAMEDA  
9 UNLIMITED JURISDICTION

10  
11 THE PEOPLE OF THE STATE OF  
12 CALIFORNIA,  
13 Plaintiff, and  
14 THE CITY OF OAKLAND, a municipal  
15 corporation,  
16 Plaintiff and Real  
Party in Interest  
17 v.  
18 Hansaben Khatri, et al; and DOES 1 through  
19 30, inclusive,  
20 Defendants.

Case No. RG10552485  
ASSIGNED FOR ALL PURPOSES TO  
JUDGE BRENDA HARBIN-FORTE  
DEPARTMENT 516

~~Proposed~~ JUDGMENT

Action Filed: December 21, 2010  
Trial Date: April 13, 2012

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ORIGINAL

1 Pursuant to the Final Statement of Decision in Regard to the Economy Inn 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 on which the Economy Inn is situated, located at 122 East 12th  
5 Street in Oakland, identified by Alameda County Assessor's Parcel number 020-  
6 0128-009-0, and more specifically described by the following legal description,

7 Beginning at a point on the Northeastern line of East 12th  
8 Street distant thereon 100.00 feet from the point of intersection  
9 thereof with the Northwestern line of 2nd Avenue; running  
10 thence Northwesterly along the said line of East 12th Street  
11 170.00 feet to a point on the Southeastern line of "I" Avenue,  
12 as said avenue existed March 1, 1928; thence Northeasterly  
13 along the said last mentioned line 158.33 feet; thence  
14 Southeasterly parallel with the said line of East 12th Street  
15 90.00 feet; thence Northeasterly parallel with the said line of  
16 2nd Avenue 66.67 feet; thence Southeasterly parallel with the  
17 said line of East 12th Street 35.00 feet; thence Southwesterly  
18 parallel with the said line of 2nd Avenue 50.00 feet; thence  
19 Southeasterly parallel with the said line of East 12th Street  
20 45.00 feet until intersected by a line drawn Northeasterly from  
21 the point of beginning and parallel with the said line of 2nd  
22 Avenue; thence Southwesterly along the line so drawn 175.00  
23 feet to the point of beginning


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

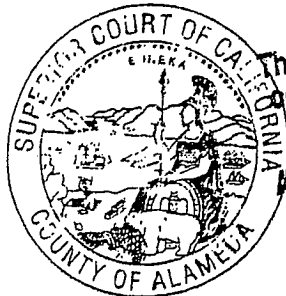
- 25 2. Defendants are ordered to immediately abate all conditions that cause or maintain  
26 the nuisance at the Property, pursuant to California Penal Code § 11225, *et seq.*
- 27 3. Defendants are permanently enjoined from permitting or maintaining the Property  
28 as a public nuisance, pursuant to California Penal Code § 11225, *et seq.*
- 29 4. That the City recovers costs, including the costs incurred from discovery and  
30 Oakland Police Department's investigations, as well as reasonable attorneys' fees,  
31 from Defendants Hansaben K'hatri and Rajeshkumar Kantilal Khatri, who shall be  
32 jointly and severally liable pursuant to California Civil Code § 3496(b). Plaintiff may  
33 submit a memorandum of cost and make a motion for attorney fees in accordance  
34 with standard post-judgment procedures and deadlines.

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- 5. That Defendant's Hansaben Khatri and Rajeshkumar Kantilal Khatri each pay a civil penalty in the amount of \$15,000.00 pursuant to California Penal Code § 11230(b).
- 6. That an order of abatement is entered as part of the judgment in this case pursuant to California Penal Code § 11230(a)(1), and that it directs the following:
  - a. That the building at the Property shall be closed, no later than July 31, 2012 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.
  - 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. *shall be BWR*
- 7. That a receiver ~~is~~ 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).

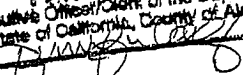
DATED: August 21, 2012

  
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:  DEPUTY