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IN THE CIRCUIT COURT OF THE STATE OF OREGON  
FOR THE COUNTY OF UMATILLA

NEW DAY FINANCIAL, LLC,

Plaintiff,

vs.

THE UNKNOWN HEIRS AND DEVISEES  
OF DIANA S. NEHILA AKA DIANA  
NEHILA; ALBERT V. NEHILA SR AKA  
ALBERT NEHILA SR; KAYSHA L. NEHILA  
AKA KAYSHA NEHILA; OCCUPANTS OF  
THE PROPERTY,

Defendants.

Case No.: 25CV61452

WRIT OF EXECUTION IN  
FORECLOSURE

**TO THE UMATILLA COUNTY SHERIFF:**

A Judgment of Foreclosure was entered and docketed in this case on April 23, 2026. A true copy of the Judgment is attached hereto.

NEW DAY FINANCIAL, LLC  
c/o Grace Chu  
Attorney for Plaintiff  
McCarthy & Holthus, LLP  
920 SW 3rd Ave, 1st Floor  
Portland, OR 97204

With the adjudicated amount due of \$183,967.94, plus pre judgment interest at the per diem of \$23.33 from 4/17/2026 to 4/23/2026 in the amount of \$139.98, plus post judgment interest at the statutory rate of 9.0% per annum from 4/23/2026 to 6/5/2026 in the amount of \$1,905.20, and continuing with a per diem of \$45.36, currently totaling \$186,013.12.

LOT 7, BLOCK 90, RESERVATION ADDITION (PLATTED AS RESERVATION  
ADDITION) TO THE TOWN, NOW CITY OF PENDLETON, UMATILLA COUNTY,  
OREGON.

Sale of the property is to satisfy the sum listed above, plus the costs incurred in performing this Writ. Pursuant to ORS 18.872, you are authorized to continue execution under the writ and delay making a return on the writ to no later than 150 days from receipt of the writ. You are to make the return within 60 days after you receive this Writ. Should the sale be continued, the writ may be automatically extended for 30 days.

Court Clerk

By: S West  
Amy West

McCarthy & Holthus, LLP

John Thomas OSB No. 024691  
 Grace Chu OSB No. 220848  
 Nathan Smith OSB No. 245010  
 Michael Scott OSB No. 973947  
 920 SW 3rd Ave, 1st Floor  
 Portland, OR 97204  
 Phone: (971) 201-3200  
 gchu@mccarthyholthus.com  
 Of Attorneys for Plaintiff



IN THE CIRCUIT COURT OF THE STATE OF OREGON  
FOR THE COUNTY OF UMATILLA

NEW DAY FINANCIAL, LLC,  
Plaintiff,

vs.

THE UNKNOWN HEIRS AND DEVISEES  
OF DIANA S. NEHILA AKA DIANA  
NEHILA; ALBERT V. NEHILA SR AKA  
ALBERT NEHILA SR; KAYSHA L.  
NEHILA AKA KAYSHA NEHILA;  
OCCUPANTS OF THE PROPERTY,  
Defendants.

Case No.: 25CV61452

GENERAL JUDGMENT OF  
FORECLOSURE

1.

THIS MATTER came before the Court on Plaintiff's motion.

- a. Defendants The Unknown Heirs and Devisees of Diana S. Nehila aka Diana Nehila; Occupants of the property ("Defaulted Defendants") were duly served with process and failed to appear; the default has been entered against Defaulted Defendants, and it appearing that Defaulted Defendants are not incapacitated, protected persons, respondents as defined in ORS 125.005, minors, or in the military service of the United States;
- b. Defendant Albert V. Nehila Sr aka Albert Nehila Sr was dismissed from this action;

2.

IT IS HEREBY ADJUDGED that Plaintiff shall have judgment as follows:

- a. The real property to which this judgment relates is located and situated in Umatilla County, Oregon, and is commonly known as 425 SOUTH WEST 17TH STREET, PENDLETON, OR 97801-2650 (the "Subject Property"), legally described as LOT 7, BLOCK 90,

1 RESERVATION ADDITION (PLATTED AS RESERVATION ADDITION) TO THE  
2 TOWN, NOW CITY OF PENDLETON, UMATILLA COUNTY, OREGON., and having  
3 APN/Parcel No. 109619, 2N3210-CA-07000.

4 b. Plaintiff is entitled to enforce the note dated October 10, 2022 and made, delivered, and  
5 executed by Diana S. Nehila to Mortgage Electronic Registration Systems, Inc. solely as  
6 nominee for New Day Financial, LLC in the amount of \$143,750.00 (the "Note"). The Note  
7 was transferred to Plaintiff by delivery of possession and by indorsement set forth on the  
8 Note.

9 c. A deed of trust was made, executed, and delivered by Defendant Diana S. Nehila on or about  
10 October 10, 2022 (the "Deed of Trust"). The Deed of Trust was recorded on October 18,  
11 2022 as Instrument No. 2022-7480312 in the official records of Umatilla County, Oregon.  
12 The Deed of Trust is a valid and perfected lien against all of the Property for and securing the  
13 Amount Due. The lien of the Plaintiff is superior to any interest, lien, or claim of the  
14 Defendants and shall remain in effect until issuance of a Sheriff's Deed.

15 d. The Borrower failed to make the payment that was due for November 1, 2023 and has not  
16 cured the default. The amount of debt secured by the Deed of Trust that is now due and  
17 owing is comprised of the following amounts (the "Amount Due"):

18 a) Unpaid principal balance: \$142,132.89

19  
20 b) Prejudgment interest accruing from \$21,671.32  
21 10/1/2023 through 4/17/2026 and  
22 continuing until the entry of  
judgment at the current Note rate of  
5.99%:

23 c) Additional amounts due under the \$14,062.23  
terms of the loan:

24 d) Attorney fees and costs: \$6,016.5

25  
26 e) Prevailing party fee (ORS 20.190 \$85.00  
27 (1)(b)(A)):

**Total:**

**\$183,967.94**

Pursuant to ORS 82.010 (2), post-judgment interest shall accrue on the Amount Due from the date of entry of this judgment through the sale of the Subject Property at the rate of 9.00% per annum.

e. The interest of the Defendants and any successor in interest in the Subject Property is foreclosed and terminated excepting only any statutory right of redemption as provided by Oregon law.

f. The Defendants are not entitled to a homestead exception as against Plaintiff's judgment.

g. All right, title and interest in the Subject Property that Defendants Diana S. Nehila had as of the date of the Deed of Trust or thereafter acquired is hereby ordered to be sold by the Umatilla County Sheriff's Office in accordance with the process for sale upon execution, and the proceeds of sale shall be applied:

1) First, to the costs of sale not incurred by Plaintiff;

2) Second, to the Amount Due, plus post-judgment interest accruing from the date of entry of judgment through the date of the sale, post-judgment property taxes, insurance, and other sums reasonably incurred and allowed under the Deed of Trust to protect Plaintiff's interest in the Property, and any incurred costs of sale;

3) Third, the surplus, if any, to the Defendants in the priority as their interest may appear, described *infra*, or to the clerk of the court to be distributed by the Court to such party or parties as they may establish their right thereto.

h. Plaintiff may become purchaser at the sale of the Subject Property and, pursuant to ORS 18.936 (2), may credit bid up to the Amount Due, plus post-judgment interest accruing from the date of entry of judgment through the date of the sale, post-judgment property taxes, insurance, and other sums reasonably incurred and allowed under the Deed of Trust to protect Plaintiff's interest the Property, and any incurred costs of sale.

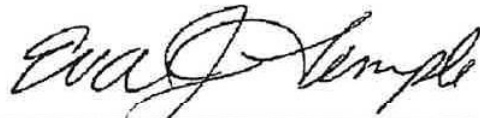
i. The purchaser at the sale is entitled to exclusive and immediate possession of the Subject Property from and after the date of the sale and is entitled to such remedies as are available at

1 law or in equity to secure possession. The purchaser at the sale may apply to the Court for a  
2 writ of assistance if any Defendant, other party, or other person shall refuse to surrender  
3 possession to the purchaser immediately upon the purchaser's demand for possession.

4 j. In the event the proceeds of sale are insufficient to pay the Amount Due, Plaintiff shall not be  
5 entitled to any further or other judgment, including a judgment for the deficiency.

6 k. If, before the sale, the Amount Due is brought into court and paid to the clerk, the execution,  
7 if issued, shall be recalled and the effect of the judgment as to the Amount Due shall be  
8 terminated.

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11 4/22/2026 5:55:23 PM

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Eva J. Temple, Circuit Court Judge

15  
16 I hereby certify that the requirements of UTCR 5.100 have been satisfied.

17 On \_\_\_\_\_, a copy of the Motion For Entry Of Judgment, Declaration Of  
18 Attorney Fees And Costs For Plaintiff, Declaration Of Amounts Due, Proposed Judgment Of  
Foreclosure was:

19 ☐ Served on:

20  
21  
22 not less than 3 days prior to submission to the court.

23 ☐ Accompanied by a stipulation by that no objection exists as to the judgment or order.

24 ☐ Mailed to:

25 not less than 7 days prior to submission to the court with a notice of the time period to  
26 object.

27 This proposed Judgment Of Foreclosure is ready for judicial signature because:

1        ☐ Each opposing party affected by this order or judgment has stipulated to the order or  
2        judgment, as shown by each opposing party's signature on the document being  
3        submitted.

4        ☐ Each opposing party affected by this order or judgment has approved the order or  
5        judgment, as shown by signature on the document being submitted or by written  
6        confirmation of approval sent to me.

7        ☐ I have served a copy of this order or judgment on all parties entitled to service and:

8                ☐ No objection has been served on me.

9                ☐ I received objections that I could not resolve with the opposing party despite  
10              reasonable efforts to do so. I have filed a copy of the objections I received and  
11              indicated which objections remain unresolved.

12              ☐ After conferring about objections, \_\_\_\_\_ agreed to independently file  
13              any remaining objection.

14        ☐ The relief sought is against an opposing party who has been found in default.

15        ☒ An order of default is being requested with this proposed judgment.

16        ☒ Service is not required pursuant to subsection (3) of this rule, or by statute, rule, or  
17        otherwise.

18        ☐ This is a proposed judgment that includes an award of punitive damages and notice  
19        has been served on the Director of the Crime Victims' Assistance Section as required  
20        by subsection (4) of this rule.

21        ☐ Other: \_\_\_\_\_

22        Dated: April 20, 2026 and submitted by:

23        **McCarthy & Holthus, LLP**

24        s/Grace Chu

25        \_\_\_\_\_  
26        John Thomas OSB No. 024691

27        \_\_\_\_\_ Grace Chu OSB No. 220848

28        \_\_\_\_\_ Michael Scott OSB No. 973947

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Of Attorneys for Plaintiff