

1 Law Offices of  
2 LATIMER & KENKEL  
3 A Professional Corporation  
4 Post Office Box 3970  
5 Chico, California 95927  
6 (916) 345-1396

7 Attorneys for Plaintiff

**FILED**

SEP 4 - 1987

CANDACE J. GILLES, State Co. Clerk  
By J. Deane Deputy

116416

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9  
10 **IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA**  
11 **IN AND FOR THE COUNTY OF BUTTE**

12 **TERI A. LEUCK, Special**  
13 **Administrator of the ESTATE OF**  
14 **CHESTER RICHARD BOARD aka**  
15 **CHESTER R. BOARD, Deceased,**

16 Plaintiff,

17 vs.

18 **EUGENE GILLIAM, PAULINE GILLIAM**  
19 **and JUNE CUNNINGHAM BOARD**

20 Defendants.

No. 88571

JUDGMENT ON SPECIAL VERDICTS

21 This case came on regularly for trial on August 17, 1987, in  
22 Department 2 of the above-entitled court, the Honorable Loyd B. Mulkey,  
23 Jr., Judge, presiding. Plaintiff appeared by her attorney, Dennis M.  
24 Latimer, and defendants appeared by their attorney, Raoul J. LeClerc.

25 A jury of 12 persons was regularly impaneled and sworn to try  
26 the action. Witnesses on the part of both plaintiff and defendants were  
sworn and examined. After hearing the evidence, the arguments of counsel,  
and instructions of the court, the jury retired to consider their  
verdicts, subsequently returned to court, and being called, answered to

1 their names and duly rendered their verdicts in writing, in words and  
2 figures as follows:

3 We, the jury, in the above-entitled action, find for TERI A.  
4 LEUCK, and against PAULINE GILLIAM, defendant. We find that the transfers  
5 of property herein should be set aside and assess damages in favor of  
6 plaintiff in the sum of \$70,000.00 and punitive damages in the sum of  
7 \$80,000.00

8 We, the jury, in the above-entitled action, find for TERI A.  
9 LEUCK, and against EUGENE GILLIAM, defendant. We find that the transfers  
10 of property herein should be set aside and assess damages in favor of  
11 plaintiff in the sum of \$70,000.00 and punitive damages in the sum of  
12 \$60,000.00.

13 We, the jury, in the above-entitled action, find for TERI A.  
14 LEUCK, and against JUNE CUNNINGHAM BOARD, defendant. We find that the  
15 transfers of property herein should be set aside and assess damages in  
16 favor of plaintiff in the sum of \$20,000.00 and punitive damages in the sum  
17 of \$10,000.00.

18 It appears that by reason of the special verdicts and all of  
19 the evidence presented to the court that plaintiff is entitled to judgment  
20 against defendants as follows:

21 IT IS HEREBY ORDERED AND ADJUDGED that that certain deed of  
22 gift dated July 2, 1985 and recorded in the official records of Butte  
23 County, California, on July 3, 1985 as document number 85-19833 and  
24 describing the property as set forth in Exhibit A attached hereto and that  
25 certain quit claim deed dated July 14, 1985 and recorded in the official  
26 records of Eureka County, Nevada in Book 137 at page 469 and describing the

1 property as set forth in Exhibit B attached hereto are cancelled in their  
2 entireties and defendants Eugene Gilliam and Pauline Gilliam have no  
3 right, title or interest, whether legal or equitable, in said real  
4 property.

5 **IT IS FURTHER ORDERED AND ADJUDGED** that plaintiff is  
6 entitled to possession and restitution of the aforesaid real property and  
7 that a writ of possession be issued to the Sheriff of Butte County,  
8 California, directing said Sheriff to remove defendants Eugene Gilliam,  
9 Pauline Gilliam and June Cunningham Board and all those claiming by,  
10 through or under said defendants and to place plaintiff in possession of  
11 said real property.

12 **IT IS FURTHER ORDERED AND ADJUDGED** that defendants Eugene  
13 Gilliam, Pauline Gilliam and June Cunningham Board prepare and deliver to  
14 plaintiff a written list of all personal property including, but not  
15 limited to, all paintings, jewelry, furniture, artifacts, motor vehicles,  
16 tools, equipment, animals, fowl, books, pictures, appliances, and utensils  
17 received by any of said defendants from Chester Richard Board from and  
18 after January 1, 1985 specifically describing said property and its  
19 present location.

20 **IT IS FURTHER ORDERED AND ADJUDGED** that defendants Eugene  
21 Gilliam, Pauline Gilliam and June Cunningham Board deliver to plaintiff  
22 all personal property now in their possession or control, including but  
23 not limited to, all paintings, jewelry, furniture, artifacts, motor  
24 vehicles, tools, equipment, animals, fowl, books, pictures, appliances,  
25 and utensils received by any of said defendants from Chester Richard Board  
26 from and after January 1, 1985.

1           **IT IS FURTHER ORDERED AND ADJUDGED** that the designation by  
2 Chester R. Board of Pauline Gilliam and/or June Cunningham Board as  
3 beneficiary of his Operating Engineers Health and Welfare Fund death  
4 benefits is cancelled and said defendants have no right, title or  
5 interest, legal or equitable, in said death benefits.

6           **IT IS FURTHER ORDERED AND ADJUDGED** that plaintiff recover  
7 from defendant Eugene Gilliam the sum of \$70,000.00 in general damages and  
8 \$60,000.00 in punitive damages.

9           **IT IS FURTHER ORDERED AND ADJUDGED** that plaintiff recover  
10 from defendant Pauline Gilliam the sum of \$70,000.00 in general damages  
11 and \$80,000.00 in punitive damages.

12           **IT IS FURTHER ORDERED AND ADJUDGED** that plaintiff recover  
13 from defendant June Cunningham Board the sum of \$20,000.00 in general  
14 damages and \$10,000.00 in punitive damages.

15           **IT IS FURTHER ORDERED AND ADJUDGED** that defendants shall  
16 receive credit against general damages heretofore sustained in a sum equal  
17 to the value of all recovered property, less any costs of recovery  
18 incurred by plaintiff hereinafter.

19           **IT IS FURTHER ORDERED AND ADJUDGED** that defendants Eugene  
20 Gilliam, Pauline Gilliam and June Cunningham Board are permanently  
21 enjoined from wasting, disposing, hypothecating, selling and transferring  
22 (other than to plaintiff) any property acquired from Chester R. Board from  
23 and after January 1, 1985.

24           **IT IS FURTHER ORDERED AND ADJUDGED** that this court reserves  
25 jurisdiction to determine upon motion of any defendant herein any credits  
26 said defendant may be entitled to pursuant to this judgment, to review any

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1 lists and identity of property and the right to possession thereof and to  
2 make any other and further orders to enforce the provisions of this  
3 judgment.

4 IT IS FURTHER ORDERED AND ADJUDGED that plaintiff shall  
5 recover from defendants Eugene Gilliam, Pauline Gilliam and June  
6 Cunningham Board her costs in the sum of \$ \_\_\_\_.

7 DATED: September 4, 1987.

8  
9 LOYD MULKEY, JR.  
Judge of the Superior Court

10 Approved as to form:

11 Latimer & Kenkel

Blade & LeClerc

12  
13 By Jerry J. Kenkel  
14 Jerry J. Kenkel

By Raoul J. LeClerc  
Raoul J. LeClerc

15  
16  
17 THE FOREGOING INSTRUMENT IS A CORRECT COPY OF  
18 THE ORIGINAL ON FILE AND ON RECORD IN THIS OFFICE.



19 TEST:

DATE:

SEP 4 1987

20 ANDACE J. GRUBBS

COUNTY CLERK AND CLERK OF THE SUPERIOR  
COURT IN AND FOR THE COUNTY OF BUTTE,  
STATE OF CALIFORNIA

21  
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DEPUTY



PARCEL ONE:

A portion of Lot Number 127 of said Lot is shown on that certain Map entitled, "OFFICIAL MAP OF OROVILLE-WYANDOTTE FRUIT LANDS, UNIT NO. 1", which Map was recorded in the office of the Recorder of the County of Butte, State of California, December 17, 1927, in Book 11 of Maps, at pages 27, 28, 29, 30 and 31, and more particularly described as follows:

BEGINNING at a point in the East line of said Lot 127, which point is 732.86 feet South of the Northeast corner of said Lot 127; thence North along the Easterly boundary of said Lot 127 a distance of 732.86 feet to the Northeast corner of said Lot 127; thence along the boundary of said Lot 127 and following courses and distances; South  $70^{\circ} 19'$  West 254.84 feet; South  $42^{\circ} 33'$  West 110.75 feet; South  $31^{\circ} 30'$  West 181.90 feet; South  $43^{\circ} 59'$  West 201.00 feet; South  $00^{\circ} 41'$  West 265.72 feet to a point in the Westerly boundary line of said Lot 127; thence leaving said Westerly boundary line East a distance of 552.63 feet to the point of beginning.

PARCEL TWO:

An easement for roadway purposes over and across the following described lands:

BEGINNING at the most Westerly corner of Lot Number 127, which Lot is above mentioned Parcel No. 1; thence along the boundary of said Lot Number 127 the following courses and distances: North  $38^{\circ} 53'$  East 239.88 feet; North  $51^{\circ} 41'$  East 137.15 feet; thence North  $21^{\circ} 29'$  East 301.00 feet; North  $00^{\circ} 41'$  East 60 feet to a point; thence leaving said boundary line East a distance of 40 feet to a point; thence South  $00^{\circ} 41'$  West 60 feet; thence South  $21^{\circ} 29'$  West 325 feet; thence South  $51^{\circ} 41'$  West 140 feet; thence South  $38^{\circ} 53'$  West 200 feet; thence South  $88^{\circ} 52' 13''$  West along the Southerly boundary of said Lot Number 127, a distance of 48 feet, more or less, to the point of beginning.

EXCEPTING THEREFROM any portion lying within the bounds of Parcel No. 1.

EXHIBIT A

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The following described real property in the City of Eureka  
County, NV., County of Eureka, State of Nevada:

TOWNSHIP 30 NORTH RANGE 48 EAST SECTION 21-LOT #6  
BLOCK 15—6.44 ACRES

Assessor's parcel No. 3-103-04 LOT-6 BLOCK -15 DISTRICT -4.0  
ROLL 00234

RECORDED AT THE REQUEST OF  
Latimer & Kentel  
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'88 FEB 29 AM 43

OFFICIAL RECORDS  
EUREKA COUNTY, NEVADA  
PLIN. REGALTY RECORDER  
FILE NO. 116416  
FEE \$ 11.00

EXHIBIT B

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