

COURT HEARING

Questions to ask Eden (Plaintiff) · His answers are shown for each question

EDEN'S OPENING STATEMENT

Your Honor, the parties entered three stipulations in this case. In the final stipulation, the defendant agreed to purchase the property for \$650,000 and to close on or before March 1, 2026, with time being of the essence. The defendant agreed that if he failed to close, I could file an affidavit of non-compliance and the Court could enter final judgment for possession. The defendant did not close by the deadline. I filed the affidavit as allowed. I am asking the Court to enforce the agreement the defendant signed.

QUESTIONS TO ASK EDEN

ASK: Was the closing deadline clear, and were you ready to close?	EXPECT: The agreement required closing on or before March 1. We were ready to deliver title and the closing agent was prepared to proceed. The defendant had more than a month to perform.
ASK: Did you or your closing agent attempt to coordinate with the defendant's lender?	EXPECT: Yes. The closing agent repeatedly requested lender information. No lender ever contacted the title company.
ASK: After March 1 passed, did you remain willing to close?	EXPECT: Yes. Even after March 1 we remained willing to close if the defendant brought the funds. That never happened.
ASK: Did the stipulation allow for any extensions?	EXPECT: No. The stipulation did not provide for any extensions and expressly stated that time is of the essence.
ASK: The defendant claims 7-year tenancy — does the stipulation address his status?	EXPECT: Yes. The defendant signed stipulations admitting he was an occupant and not a tenant, and he waived his defenses.
ASK: Are you still willing to sell if the defendant performs?	EXPECT: Yes, Your Honor. We were and remain ready to close if the defendant performs, but under the stipulation he defaulted and the agreement allows entry of the judgment.
ASK: What are you requesting from the Court today?	EXPECT: I am requesting entry of the Stipulated Final Judgment for Possession as agreed in the stipulation.

Thank you!