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IN THE FOURTH JUDICIAL DISTRICT COURT
MILLARD COUNTY, STATE OF UTAH

ROBERT KEDDINGTON,

Petitioner,

v.

SOSAIA EMMANUEL MAUMALANGA, an
individual; and, JOHN DOES 1-10,

Respondent.

DEFAULT JUDGMENT

Civil No.: 260700026

Judge: Shawn R. Howell

Plaintiff, Robert Keddington (“**Mr. Keddington**”), filed his Petition to Nullify Wrongful Lien on June 12, 2026. Defendant Sosaia Emmanuel Maumalanga (“**Mr. Maumalanga**”), was served with a copy of the Summons and Petition and Order of Alternate Service on July 29, 2026 via email and text message. The Defendant, having failed to plead or otherwise defend in this action in the time allowed by law and its default having been entered, now therefore, Plaintiff is awarded judgment as follows:

FINDINGS OF FACT

1. On May 30, 2025, Sela F. Fungalei (“**Ms. Fungalei**”), as grantor, sold, for good and valuable consideration, all of her right, title and interest in and to the Property to Mr.

Keddington, as grantee, by Quit Claim Deed signed on May 30, 2025 that was recorded in the office of the Millard County Recorder on October 30, 2025, as Entry No. 00234659, Bk 786, Pg 591.

2. At the time she conveyed the Property to Mr. Keddington, Ms. Fungalei was the sole owner of the Property.

3. At no time during the relevant period did Mr. Maumalanga own any right, title or interest in or to the Property.

4. Notwithstanding that he did not own the Property, on or about August 14, 2025, Mr. Maumalanga caused to be recorded a Notice of Pending Action (Lis Pendens) (“**Lis Pendens**”) the Property, in the office of the Millard County Recorder’s office as Entry No. 00233554, bk 781, pg 350-51.

7. In the Lis Pendens, Mr. Maumalanga alleged that “an action in pending in the Fourth Judicial District Court, Utah County, State of Utah, affecting the title to and right of possession of the [Property].”

8. The action to which the Lis Pendens refers is the divorce matter of Sela Fungalei v. Sosaia Emmanuel Maumalanga, Civil No 254401642 (herein the “**Divorce Matter**”).

9. However, the Divorce Matter was commenced on June 19, 2025, after the sale of the Property by Ms. Fungalei to Mr. Keddington and, therefore, does not affect the title to or right of possession of the Property.

10. Because his purchase of the Property for valuable consideration occurred prior to the filing of the Lis Pendens, Mr. Keddington had no knowledge of any claim Mr. Maumalanga may have had in the Property and, therefore, is a bona fide purchaser of the Property.

11. Further, because the sale of the Property by Ms. Fungalei to Mr. Keddington occurred prior to the filing of the Divorce Matter, it was not a marital asset and the Divorce Matter does not affect title to the Property.
12. At the time of filing of the Lis Pendens, Mr. Keddington was the record title owner of the Property as defined in UTAH CODE ANN. §38-9-101.
13. The Lis Pendens was not expressly authorized by Title 38, Chapter 9 or any state or federal statute and is not authorized or contained in an order or judgment of a court of competent jurisdiction in the state.
14. The Lis Pendens was not signed by or authorized pursuant to a document signed by Mr. Keddington.
15. The Lis Pendens constitutes a wrongful lien as defined by UTAH CODE ANN. §38-9-102(12).
16. The Lis Pendens does not qualify for the exception under UTAH CODE ANN. §78B-6-1303 because the Divorce Matter does not affect title to or the right to possession of the Property.
17. On March 30, 2026, Mr. Keddington caused to be served on Mr. Maumalanga a notice pursuant to UTAH CODE ANN. §38-9-203(2) and demanded that he remove the Lis Pendens from the Property within ten (10) calendar days.
18. Mr. Maumalanga failed and refused to release the Lis Pendens within such 10 calendar days.
19. This Petition is filed pursuant to UTAH CODE ANN. §38-9-205.
20. Pursuant to the provisions of UTAH CODE ANN. §38-9-101 et. seq., and in particular §38-9-203, Petitioner is entitled to a determination that the Lis Pendens is and does constitute a

wrongful lien, that the Lis Pendens is void *Ab Initio* releasing the Property from the effect of the Lis Pendens, that the Lis Pendens provides no notice or claim of any interest in the Property by Mr. Maumalanga.

21. Petitioner is also entitled to damages, reasonable attorney's fees, and costs in bringing this action in accordance with the provisions of UTAH CODE ANN. §38-9-203.

22. Mr. Maumalanga knew or had reason to know that the Lis Pendens was a wrongful lien, was groundless, or contains a material misstatement or false claim.

23. Mr. Maumalanga is liable to Mr. Keddington for actual damages proximately caused by Mr. Maumalanga's wrongful lien, pursuant to UTAH CODE ANN. §38-9-203(1).

24. Mr. Maumalanga is liable to Mr. Keddington for the greater of \$10,000 and for reasonable attorney fees and costs, because he knew or had reason to know that the Lis Pendens was a wrongful lien, was groundless, or contains a material misstatement or false claims, pursuant to UTAH CODE ANN. §38-9-203(3)

IT IS ORDERED that Plaintiff Robert Keddington is awarded judgment against said Defendant as follows:

1. Plaintiff's Petition is sufficient in accordance with the provisions of U.C.A. § 38-9-205.

2. That the Lis Pendens filed by Defendant against the property described below constitutes a wrongful lien on the Property and is, therefore, declared to be void *Ab Initio*, that the Property is released from the Lis Pendens and that the Lis Pendens provides no notice or claim of any interest in the Property by Mr. Maumalanga;

3. QUARTER: SW S 16 T 17S R 8W QUARTER: SW S 16 T 17S R 8W
THE S1/2 OF THE SW 1/4 OF SECTION 16, T17S, R8W, SLB&M

- 4.
5. QUARTER: SW S 16 T 17S R 8W QUARTER: SW S 16 T 17S R 8W TOGETHER WITH; AN EASEMENT OF 20 FEET IN WIDTH ACROSS AND OVER THE PERIMETER BOUNDARY OF THE N1/2 OF THE SW1/4 AND THE NW 1/4 OF SEC 16 AND THE W1/2 OF THE SW 1/4 OF SEC 9, T17 S, R8W, SLB&M.
- 6.
7. QUARTER: NW S 16 T 17S R 8W QUARTER: NW S 16 T 17S R 8W
- 8.
9. QUARTER: SW S 9 T 17S R 8W QUARTER: SW S 9 T 17S R 8W
- 10.
11. Tax Parcel No. HD-4710
- 12.
13. That Plaintiff is awarded statutory damages in the amount of \$10,000.00 pursuant to UTAH CODE ANN. §38-9-203(3) because Mr. Maumalanga knew or had reason to know that the Lis Pendens was a wrongful lien, was groundless, or contains a material misstatement or false claims.
14. That Plaintiff is awarded his reasonable costs and attorney's fees incurred in bringing this action in the amount of \$1790.00.

THIS DEFAULT JUDGMENT IS EFFECTIVE WHEN DIGITALLY SIGNED BY THE COURT ABOVE