

FILED
SUPERIOR COURT OF CALIFORNIA
COUNTY OF ORANGE
CENTRAL JUSTICE CENTER

APR 19 2016

ALAN CARLSON, Clerk of the Court
G. Hernandez

BY G. HERNANDEZ

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Superior Court of California,
County of Orange

04/11/2016 at 11:54:18 AM
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11 SUPERIOR COURT OF THE STATE OF CALIFORNIA
12 COUNTY OF ORANGE
13 COMPLEX DIVISION

15 Amanda Quiles, Heather Turman, and
16 Kimberly Dang, individually, on behalf of
17 all others similarly situated, and on behalf
18 of the general public, and Shannon Payne,
19 Lonnie Finley, Joshua Allen, JW Perkins,
20 and Kelliane Ryan, individually,

21 Plaintiffs,

22 vs.

23 Koji's Japan Incorporated dba Koji's
24 Shabu Shabu and Koji's Sushi & Shabu
25 Shabu, Arthur J. Parent, Jr., and DOES 1
26 through 50 inclusive,

27 Defendants.

CASE NO.:

30-2010-00425532-CU-OE-CXC

Hon. William D. Claster

[Proposed] JUDGMENT

**Trial Date/Time: February 22, 2016, 9:00
a.m**

Dept. CX102

1 **JUDGMENT**

2 After a jury trial in the above-referenced matter, the jury returned a special verdict for
3 Plaintiff and against Defendants on her claim of wrongful termination under the federal Fair
4 Labor Standards Act, 29 U.S.C. section 215(a)(3) (FLSA), as follows:

5 1: Was Amanda Quiles' filing a lawsuit a substantial motivating reason for
6 Defendants' decision to discharge Amanda Quiles?

7 Answer: Yes

8 2: Was Defendants' conduct a substantial factor in causing harm to Amanda
9 Quiles?

10 Answer: Yes

11 3: Have Defendants proven that they would have made the same decision
12 anyway to discharge the Plaintiff, at the time she was discharged, based upon a legitimate non-
13 retaliatory reason?

14 Answer: No

15 4: What are Amanda Quiles' damages?

16 a) Economic damages for loss of past earnings: \$3,000

17 b) Non-economic loss, including emotional distress: \$27,500

18 5: Did Defendants engage in the conduct with malice, oppression, or fraud?

19 Answer: Yes

20 PHASE II: QUESTION 1: What amount of punitive damages, if any, do you award Amanda
21 Quiles? \$350,000

22 Moreover, after reviewing the parties' briefs and hearing their arguments, the Court awards:

23 liquidated damages of \$ 3,000.00

24 reasonable attorneys' fees of \$ _____

25 costs of litigation of \$ _____

1 On March 25, 2016, Plaintiff Amanda Quiles requested withdrawal as a class representative and
2 dismissed without prejudice her individual claims against Defendants other than her FLSA
3 wrongful termination claim. The Court granted Plaintiff's request to withdraw as class
4 representative on March 30, 2016. That same day, per the Court's Order, Plaintiff disclaimed any
5 right to future recovery as a class member. After judgment is entered herein, Plaintiff will have no
6 unresolved claims against Defendants.

7 In accordance with the jury's verdict and this Court's awards, therefore,

8 JUDGMENT FOR PLAINTIFF QUILES AGAINST DEFENDANTS KOJI'S JAPAN, INC.,
9 AND ARTHUR J. PARENT, JR., IS HEREBY ENTERED ON HER WRONGFUL
10 TERMINATION CLAIM, as follows:

11 1) Defendants must pay Plaintiff Quiles on the wrongful termination complaint \$3,000 in back
12 pay;

13 2) Defendants must pay Plaintiff Quiles on the wrongful termination complaint \$27,500 in non-
14 economic damages, including emotional distress damages;

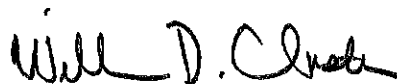
15 3) Defendants must pay Plaintiff Quiles on the wrongful termination complaint \$350,000 in
16 punitive damages;

17 4) Defendants must pay Plaintiff Quiles on the wrongful termination complaint \$3000.00 in
18 liquidated damages; and,

19 6) Defendants must pay Plaintiff Quiles on the wrongful termination complaint
20 \$ _____ in attorneys' fees, and \$ _____
21 in litigation costs.

22 The Court will retain jurisdiction over this matter for enforcement and to determine costs and
23 attorneys' fees.

24 DATED: 4-19-16

25 

26 Hon. William D. Claster
27 Judge of the Superior Court
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PROOF OF SERVICE

QUILES, et al. v. KOJIS JAPAN, INC. et al.
30-2010-00425532-CU-OE-CXC

SUPERIOR COURT OF THE STATE OF CALIFORNIA, COUNTY OF ORANGE

I am over the age of 18 years and not a party to the within entitled action; my business address is 1330 Broadway, Suite 1630, Oakland, California 94612. On April 11, 2016 I served the documents described as:

[proposed] JUDGMENT

on the interested parties to said action by the following means:

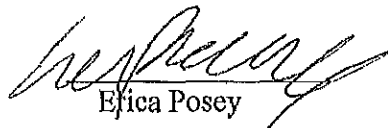
[X] (By U.S. Mail) By placing a true copy thereof, enclosed in a sealed envelope with postage thereon fully prepaid, for collection and mailing on that date following ordinary business practices, in the United States Mail at the offices of Bryan Schwartz Law, Oakland, California, addressed as shown below. I am readily familiar with this business's practice for collection and processing of correspondence for mailing with the U.S. Postal Service, and in the ordinary course of business correspondence would be deposited with the U.S. Postal Service the same day it was placed for collection and processing.

[X] (By Electronic Mail) By transmitting a true copy thereof by electronic mail to the address shown below. The transmission was completed without error.

[X] (By Facsimile Transmission) By transmitting a true copy thereof by facsimile transmission from facsimile number (510) 444-9301, to the interested parties to said action; the transmission was reported as complete and without error. Said document was transmitted to the interested parties as shown below at approximately 11:45 A.M.

I declare under penalty of perjury that the foregoing is true and correct, and that I am employed in the office of a member of the Bar of this Court at whose direction the service was made.

Executed on April 11, 2016 at Oakland, California.


Elica Posey

NAME AND ADDRESS/FAX NUMBER/EMAIL OF EACH PERSON SERVED:

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