

CONFORM

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Los Angeles Superior Court

APR 26 2010

John A. Clarke, Executive Officer/Clerk

By K. Pappas, Deputy

SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF LOS ANGELES, WEST DISTRICT

KATHARINE WEST,
Plaintiff,

v.

MAX SHINSUKE NAKAZAWA,
Defendant.

CASE NO. SC098822

[Assigned to the Honorable John H. Reid, Dept. F]

**~~PROPOSED~~ AMENDED
JUDGMENT FOLLOWING
AWARD OF ATTORNEY'S FEES
AND COSTS**

Trial Date: November 2, 2009

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TO ALL PARTIES AND TO THEIR ATTORNEYS OF RECORD:

This action came on regularly for trial on November 2, 2009, in Department F of the above-entitled Court, the Honorable John H. Reid presiding. James W. Spertus of the Law Offices of James W. Spertus appeared on behalf of Plaintiff Katharine West and Tom A. Nunziato appeared on behalf of Defendant Max Shinsuke Nakazawa. The trial concluded on November 3, 2009. Plaintiff's motion for attorney's fees was heard on April 13, 2010. After hearing the evidence and arguments of counsel, the Court rules as follows:

IT IS HEREBY ADJUDGED, ORDERED AND DECREED that, on the first cause of action for Breach of Written Contract, judgment be entered in favor of Plaintiff Katharine West and against Defendant Max Shinsuke Nakazawa in the following amounts:

1. Two-Hundred Fifty-Five Thousand Dollars (\$255,000);
2. Interest at the rate of 10% per annum from February 12, 2008 until November 2, 2009 (629 days) in the amount of Forty-Three Thousand Nine-Hundred Forty-Three Dollars and Eighty-Four Cents (\$43,943.84);
3. Interest at the rate of 10% per annum from November 2, 2009 until April 13, 2010 on the total combined interest and principal amount of Two-Hundred Ninety-Eight Thousand Nine Hundred and Forty-Four Dollars (\$298,944) at a rate of Sixty-Nine Dollars and Eighty-Six Cents (\$69.86) per day, in the sum of Eleven Thousand Three Hundred and Seventeen and Thirty-Two Cents (\$11,317.32);
4. Attorney's fees in the amount of Sixty Thousand and Two Dollars and Seventy-Five Cents (\$60,002.75) awarded on April 13, 2010;
5. Costs in the amount of Seven Thousand and Fifty Nine Dollars and Twenty-Three Cents (\$7,059.23) awarded on April 13, 2010;

1 The total final judgment in this matter is, therefore, Three Hundred Seventy
2 Seven Thousand Three Hundred and Twenty Three and Fourteen Cents
3 (\$377,323.14).

4 Plaintiff shall further be entitled to interest on the final judgment at a rate of
5 10% per annum, or One Hundred and Four Dollars and Eighty-One Cents (\$104.81)
6 per day from April 13, 2010 until the judgment is paid in full.

7 IT IS FURTHER ADJUDGED, ORDERED AND DECREED that on the
8 third and fourth causes of action for fraud and intentional infliction of emotional
9 distress, respectively, Plaintiff Katharine West will take nothing from Defendant
10 Max Shinsuke Nakazawa.

11 To the fullest extent permitted by law, the Court will retain jurisdiction over
12 the parties in order to enforce the judgment until performance in full of its terms.

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14 Dated: 4-26-10


JOHN H. REID

HONORABLE JOHN H. REID
Judge of the Superior Court of California

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17 Respectfully Submitted,

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20 Amanda R. Touchton
Attorney for Plaintiff Katharine West

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22 Acknowledged as in accordance with the orders of this Court:

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25 Tom A. Nunziato
Attorney for Defendant Max Nakazawa

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