

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, state bar number, and e) LYNN A. SHINMOTO [Bar No. 94808] Devirian & Shinmoto Prof. Corp. 2945 Townsgate Road, Suite 200 Westlake Village, California 91361 TELEPHONE NO (805) 342-0169 FAX NO (Optional) E-MAIL ADDRESS (Optional) Lshinmoto@devshin.com ATTORNEY FOR (Name): Plaintiff		05/20/2019 Clerk of the Superior Court By Lateasha Johnson, Deputy Clerk	FOR COURT USE ONLY FILED SUPERIOR COURT OF CALIFORNIA COUNTY OF ORANGE CENTRAL JUSTICE CENTER JUN 10 2019 DAVID H. YAMASAKI, Clerk of the Court BY: _____, DEPUTY
SUPERIOR COURT OF CALIFORNIA, COUNTY OF Orange STREET ADDRESS 700 Civic Center Drive West MAILING ADDRESS P. O. Box 19 CITY AND ZIP CODE Santa Ana, California 92702 BRANCH NAME Central Justice Center			
PLAINTIFF: ASSOCIATED READY MIXED CONCRETE, INC., a corporation, DEFENDANT: VILLA NOVA DEVELOPING, INC., a corporation			
JUDGMENT ☐ By Clerk ☒ By Default ☐ After Court Trial ☒ By Court ☐ On Stipulation ☐ Defendant Did Not Appear at Trial		CASE NUMBER: 30-2019-01047241-CU-CO-CJC	

- JUDGMENT**
1. ☒ **BY DEFAULT**
- Defendant was properly served with a copy of the summons and complaint.
 - Defendant failed to answer the complaint or appear and defend the action within the time allowed by law.
 - Defendant's default was entered by the clerk upon plaintiff's application.
 - ☐ Clerk's Judgment (Code Civ. Proc., § 585(a)). Defendant was sued only on a contract or judgment of a court of this state for the recovery of money.
 - ☒ Court Judgment (Code Civ. Proc., § 585(b)). The court considered
 - ☐ plaintiff's testimony and other evidence.
 - ☒ plaintiff's written declaration (Code Civ. Proc., § 585(d)).
2. ☐ **ON STIPULATION**
- Plaintiff and defendant agreed (stipulated) that a judgment be entered in this case. The court approved the stipulated judgment and
 - ☐ the signed written stipulation was filed in the case.
 - ☐ the stipulation was stated in open court ☐ the stipulation was stated on the record.
3. ☐ **AFTER COURT TRIAL.** The jury was waived. The court considered the evidence.
- The case was tried on (date and time):
before (name of judicial officer):
 - Appearances by:

☐ Plaintiff (name each): (1) (2)	☐ Plaintiff's attorney (name each): (1) (2)
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☐ Continued on Attachment 3b.
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|---|--|
| ☐ Defendant (name each):
(1)
(2) | ☐ Defendant's attorney (name each):
(1)
(2) |
|---|--|

☐ Continued on Attachment 3b.
 - ☐ Defendant did not appear at trial. Defendant was properly served with notice of trial.
 - ☐ A statement of decision (Code Civ. Proc., § 632) ☐ was not ☐ was requested.

PLAINTIFF: ASSOCIATED READY MIXED CONCRETE, INC., a corporation, DEFENDANT: VILLA NOVA DEVELOPING, INC., a corporation	CASE NUMBER: 30-2019-01047241-CU-CO-CJC
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JUDGMENT IS ENTERED AS FOLLOWS BY: ☒ THE COURT ☐ THE CLERK

4. ☐ Stipulated Judgment. Judgment is entered according to the stipulation of the parties.

5. Parties. Judgment is

a. ☒ for plaintiff (name each). ASSOCIATED READY MIXED CONCRETE, INC., a corporation;
and against defendant (names): VILLA NOVA DEVELOPING, INC., a corporation;
and ANDREW NOWACZEK
☐ Continued on Attachment 5a.

c. ☐ for cross-complainant (name each):
and against cross-defendant (name each).

☐ Continued on Attachment 5c.

b. ☐ for defendant (name each):

d. ☐ for cross-defendant (name each):

6. Amount.

a. ☒ Defendant named in item 5a above must pay plaintiff on the complaint.

c. ☐ Cross-defendant named in item 5c above must pay cross-complainant on the cross-complaint:

(1) ☒	Damages	\$ 117,679.59
(2) ☒	Prejudgment interest at the annual rate of 18 %	\$ 8,762.53
(3) ☒	Attorney fees	\$ 3,726.80
(4) ☒	Costs	\$ 559.00
(5) ☐	Other (specify):	\$
(6)	TOTAL	\$130,727.92

(1) ☐	Damages	\$
(2) ☐	Prejudgment interest at the annual rate of %	\$
(3) ☐	Attorney fees	\$
(4) ☐	Costs	\$
(5) ☐	Other (specify):	\$
(6)	TOTAL	\$

b. ☐ Plaintiff to receive nothing from defendant named in item 5b.
☐ Defendant named in item 5b to recover costs \$
☐ and attorney fees \$

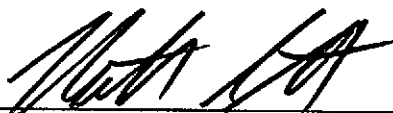
d. ☐ Cross-complainant to receive nothing from cross-defendant named in item 5d.
☐ Cross-defendant named in item 5d to recover costs \$
☐ and attorney fees \$

7. ☐ Other (specify):

JUN 10 2019

Date:

☐


NATHAN SCOTT

Date:

☐

Clerk, by _____, Deputy

(SEAL)

CLERK'S CERTIFICATE (Optional)

I certify that this is a true copy of the original judgment on file in the court.

Date:

Clerk, by _____, Deputy