

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, state bar number, and address):

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ATTORNEY FOR (Name): Liberty Mutual Ins. Co., Admin. & Assignee of Indemnity Co

FOR COURT USE ONLY

FILEDSuperior Court of California
County of Los Angeles

05/21/2024

David W. Slayton, Executive Officer / Clerk of Court

By: R. Alva Deputy**SUPERIOR COURT OF CALIFORNIA, COUNTY OF Los Angeles**

STREET ADDRESS: 111 North Hill St.

MAILING ADDRESS: 111 North Hill St.

CITY AND ZIP CODE: Los Angeles, CA 90012

BRANCH NAME: Stanley Mosk Courthouse

PLAINTIFF: City of Los Angeles

DEFENDANT: Villas Over Sunland LLC, et al.

CASE NUMBER:

23STCV12838

JUDGMENT

- | | | |
|--|--|--|
| ☐ By Clerk | ☒ By Default | ☐ After Court Trial |
| ☒ By Court | ☐ On Stipulation | ☐ Defendant Did Not Appear at Trial |

JUDGMENT1. ☒ **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):	☐ Plaintiff's attorney (name each):
(1)	(1)
(2)	(2)
☐ Continued on Attachment 3b.	
☐ Defendant (name each):	☐ Defendant's attorney (name each):
(1)	(1)
(2)	(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: City of Los Angeles	CASE NUMBER: 23STCV12838
DEFENDANT: Villas Over Sunland LLC, et al.	

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)*:

and against defendant *(names)*:

☐ Continued on Attachment 5a.
- c. ☒ for cross-complainant *(name each)*:

Liberty Mutual Insurance Co. as Adminsitrator
and Asignee of Indemnity Co. of California
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:**jointly
and severally**

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

(1) ☒ Damages	\$	132,449.69
(2) ☐ Prejudgment interest at the annual rate of %	\$	
(3) ☒ Attorney fees	\$	3,214.50
(4) ☒ Costs	\$	810.78
(5) ☐ Other <i>(specify)</i> :	\$	
(6) TOTAL	\$	136,471.97

- 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. ☒ Judgment debtor is a natural person, and as provided in Code Civ. Proc., §§ 683.110, 685.010:

\$ 0.00 of this judgment is on a claim related to medical expenses

\$ 0.00 of this judgment is on a claim related to personal debt

8. ☐ Other *(specify)*:

Date: ☐ _____
JUDICIAL OFFICER

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

ATTACHMENT 5C

Cross-Defendants: VILLAS OVER SUNLAND LLC, a Limited Liability Company; SPRING VALLEY ESTATES LLC, a Limited Liability Company; ANDREW NOWACZEK INDIVIDUALLY and as TRUSTEE of the ANDREW AND AUDREY NOVACZEK FAMILY TRUST; AUDREY NOVACZEK INDIVIDUALLY and as TRUSTEE of the ANDREW AND AUDREY NOVACZEK FAMILY TRUST; JOINTLY AND SEVERALLY

PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF VENTURA

I am employed in the County of Ventura, State of California. I am over the age of eighteen years and not a party to the within action; my business address is 2945 Townsgate Road, Suite 200, Westlake Village, California 91361.

On, May 3, 2024, I served the following document(s)

1. **MEMORANDUM OF COSTS (SUMMARY)**
2. **MEMORANDUM OF COSTS (WORKSHEET)**
3. **DEFAULT JUDGMENT BY COURT**
4. **REQUEST FOR DISMISSAL**

described as the interested parties in this action by placing true copies thereof enclosed in sealed envelopes addressed as follows:

Hydee Feldstein Soto, **City Attorney**
Denise C. Mills, **Chief Deputy City**

Attorneys for Plaintiff CITY OF LOS
ANGELES

Attorney

Scott Marcus, **Chief Assistant City**

Attorney

Gabriel S. Dermer, **Assistant City**

Attorney

Email: Gabriel Dermer

gabriel.dermer@lacity.org

200 N. Main Street, Suite 675

Los Angeles, CA 90012

Tel.: (213) 978-7558



BY ELECTRONIC SERVICE [CRC Rule 2.251]: Based on a court order or an agreement of the parties to accept service by e-mail or electronic transmission, I caused the document(s) to be sent from e-mail address shirley@larlaw.net to the persons at the e-mail addresses listed in the Service List. I did not receive, within a reasonable time after the transmission, any electronic message or other indication that the transmission was unsuccessful.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on May 3, 2024 at Westlake Village, California.

Shirley Cervantes
Shirley Cervantes