

1 Carmen A. Trutanich - SBN 86629
C. D. Michel - SBN 144258
2 Glenn S. McRoberts - SBN 144852
Thomas E. Maciejewski - SBN 222736
3 Jason A. Davis - SBN 224250
Brigid J. Joyce - SBN 223271
4 TRUTANICH - MICHEL, LLP
180 East Ocean Blvd.
5 Suite 200
Long Beach, CA 90802
6 Telephone: (562) 216-4444
Fax: (562) 216-4445
7

4 PGS 9-26-06

8 Attorneys for Plaintiffs

9 IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA

10 COUNTY OF LOS ANGELES

11 CENTRAL DISTRICT

12 HARISHBHAI KUMAR AKA HARISH)
PATEL, MAHENDRA PATEL, HEMA)
13 KUMAR, SAGAR KUMAR, AARTI)
KUMAR, UCI HOSPITALITY GROUP,)
14 INC. DBA UNIVERSITY CITY INN,)

15 Plaintiffs,

16 v.

17 PRAVIN GOVIN, VICTOR GOVIN,)
CARLOS AMADOR, GOVIN)
18 ENTERPRISE, INC., a California)
Corporation, SANGITA GOVIN;)
19 VAJIYABEN LAXMAN GOVIN, SADNA)
PARSHOTAM, VYOMESH PATEL,)
20 SUBHASH PATEL, THE VAJIYABEN)
LAXMAN GOVIN REVOCABLE TRUST)
21 DATED MAY 5, 2000, HARIKRUSHNA,)
CORP. a California Corporation, AND)
22 DOES 7 THROUGH 100,)

23 Defendants.

CASE NO. BC 288577

CONSOLIDATED WITH
CASE NO. BC 314864
CASE NO. BC 333427

RELATED TO
CASE NO. BC351911

Hon. James C. Chalfant, presiding.

[PROPOSED] JUDGMENT IN FAVOR
OF PLAINTIFFS HARISHBHAI KUMAR,
HEMA KUMAR, SAGAR KUMAR,
AARTI KUMAR, AND UCI
HOSPITALITY GROUP, INC.

Dept: 13
Judge: Hon. James C. Chalfant

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A. Caballero

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FILED
LOS ANGELES SUPERIOR COURT

SEP 26 2006

CLERK
BY M. FERRARA, DEPUTY

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HOSPITALITY GROUP, INC.

Dept: 13
Judge: Hon. James C. Chalfant

1 This action came on regularly for court trial on July 25, 2006 in Department 13 of the
2 Superior Court, the Honorable James C. Chalfant presiding; the plaintiffs appearing at the
3 hearing through attorneys Carmen Trutanich and Thomas Maciejewski and the defendants
4 appearing by attorneys John E. Sweeney and Bruce E. Schwartz.

5 Other than plaintiffs' causes of action for Wrongful Death and Intentional Infliction of
6 Emotional Distress, all causes of action had been settled by the parties before the July 25, 2006
7 court trial.

8 Before the July 25, 2006 court trial, the Court read and considered the following evidence
9 submitted by the parties: Plaintiffs' Trial Brief on Wrongful Death, Intentional Infliction of
10 Emotional Distress, and Resulting Damages; Defendants' Joint Trial Brief as to Liability for the
11 Wrongful Death and Intentional Infliction of Emotional Distress Causes of Action; Plaintiffs'
12 Reply Trial Brief; Plaintiffs' Trial Binders, one through four; and a PowerPoint presentation that
13 was the equivalent of an opening statement on the part of plaintiffs.

14 The Court found defendants Victor Govin and Pravin Govin liable to plaintiffs Harishbhai
15 "Harry" Kumar and Hema Kumar for the wrongful deaths of Gita Kumar, Sitaben Patel, Paras
16 Kumar, and Tulsi Kumar. The Court also found defendants Victor Govin and Pravin Govin
17 liable to plaintiffs Harishbhai Kumar, Hema Kumar, Mahendra "Mike" Patel, Sagar Kumar, and
18 Aarti Kumar for Intentional Infliction of Emotional Distress.

19 NOW, THEREFORE, IT IS ORDERED, ADJUDGED AND DECREED that plaintiffs
20 shall have and recover from defendants Victor Govin and Pravin Govin, who are jointly and
21 severally liable for all damages, as follows:

22 Wrongful Death

23 Plaintiff Harishbhai Kumar shall recover \$720,000.00 in economic damages for the
24 wrongful deaths of the four victims. Harishbhai Kumar shall also recover \$40,000,000.00 in
25 non-economic compensatory damages for the wrongful deaths of the four victims.

26 Plaintiff Hema Kumar shall recover \$437,000.00 in economic damages for the wrongful
27 death of her mother, Gita Kumar. Hema Kumar shall also recover \$10,000,000.00 in non-
28 economic compensatory damages for the loss of her mother.

1 Plaintiffs Harishbhai Kumar and Hema Kumar are jointly awarded \$60,000,000.00 in
2 punitive damages for the wrongful deaths of the four victims.

3 Intentional Infliction of Emotional Distress

4 Plaintiffs are also awarded damages for Intentional Infliction of Emotional Distress. These
5 damages, however, are not cumulative to the wrongful death damages and do not double on top
6 of the damages awarded for wrongful death.

7 Plaintiff Harishbhai Kumar shall recover \$40,000,000.00 in compensatory damages and
8 \$10,000,000.00 in punitive damages for Intentional Infliction of Emotional Distress.

9 Plaintiff Hema Kumar shall recover \$12,000,000.00 in compensatory damages and
10 \$8,000,000.00 in punitive damages for Intentional Infliction of Emotional Distress.

11 Plaintiff Mahendra Patel shall recover \$6,000,000.00 in compensatory damages and
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13 Plaintiff Sagar Kumar shall recover \$6,000,000.00 in compensatory damages and
14 \$4,000,000.00 in punitive damages for Intentional Infliction of Emotional Distress.

15 Plaintiff Aarti Kumar shall recover \$6,000,000.00 in compensatory damages and
16 \$4,000,000.00 in punitive damages for Intentional Infliction of Emotional Distress.

17

18 Interest shall accrue at the rate of ten percent per year from the date of entry of this
19 judgment until paid.

20 Plaintiffs shall also recover costs in the amount of \$_____.

21

22

23 Dated: 9/26/06

J - Choelt

24

Judge of the Superior Court

25

26

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28

PROOF OF SERVICE

1
2 STATE OF CALIFORNIA
3 COUNTY OF LOS ANGELES

4 I, Claudia Ayala, am employed in the City of Long Beach, Los Angeles County, California.
5 I am over the age eighteen (18) years and am not a party to the within action. My business
6 address is 180 E. Ocean Boulevard, Suite 200, Long Beach, California 90802.

6 On August 30, 2006, I served the foregoing document(s) described as

7 **[PROPOSED] JUDGMENT IN FAVOR OF PLAINTIFFS**
8 **HARISHBHAI KUMAR, HEMA KUMAR, SAGAR KUMAR,**
9 **AARTI KUMAR, AND UCI HOSPITALITY GROUP, INC.**

9 on the interested parties in this action by placing

10 the original
 a true and correct copy

thereof enclosed in sealed envelope(s) addressed as follows:

11 BRUCE E. SCHWARTZ
12 SCHWARTZ WISOT & WILSON, LLP
13 1875 Century Park East, No. 850
Los Angeles, California 90067

JOHN E. SWEENEY
315 Beverly Drive, No. 305
Beverly Hills, California 90212

14 X (BY MAIL) As follows: I am "readily familiar" with the firm's practice of collection and
15 processing correspondence for mailing. Under the practice it would be deposited with the
16 U.S. Postal Service on that same day with postage thereon fully prepaid at Long Beach,
California, in the ordinary course of business. I am aware that on motion of the party
served, service is presumed invalid if postal cancellation date is more than one day after
date of deposit for mailing an affidavit.

17 Executed on August 30, 2006, at Long Beach, California.

18 X (VIA FACSIMILE TRANSMISSION) As follows: The facsimile machine I used
19 complies with California Rules of Court, Rule 2003, and no error was reported by the
20 machine. Pursuant to Rules of Court, Rule 2006(d), I caused the machine to print a
transmission record of the transmission, copies of which is attached to this declaration.

21 Executed on August 30, 2006, at Long Beach, California.

22 X (STATE) I declare under penalty of perjury under the laws of the State of California that
the foregoing is true and correct.

23 (FEDERAL) I declare that I am employed in the office of the member of the bar of this
24 court at whose direction the service was made.

25
26
27
28


CLAUDIA AYALA

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8 Attorneys for Plaintiffs

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10 COUNTY OF LOS ANGELES

11 CENTRAL DISTRICT

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[PROPOSED] JUDGMENT IN FAVOR
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Dept: 13
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2 Superior Court, the Honorable James C. Chalfant presiding; the plaintiffs appearing at the
3 hearing through attorneys Carmen Trutanich and Thomas Maciejewski and the defendants
4 appearing by attorneys John E. Sweeney and Bruce E. Schwartz.

5 Other than plaintiffs' causes of action for Wrongful Death and Intentional Infliction of
6 Emotional Distress, all causes of action had been settled by the parties before the July 25, 2006
7 court trial.

8 Before the July 25, 2006 court trial, the Court read and considered the following evidence
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14 The Court found defendants Victor Govin and Pravin Govin liable to plaintiffs Harishbhai
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17 liable to plaintiffs Harishbhai Kumar, Hema Kumar, Mahendra "Mike" Patel, Sagar Kumar, and
18 Aarti Kumar for Intentional Infliction of Emotional Distress.

19 NOW, THEREFORE, IT IS ORDERED, ADJUDGED AND DECREED that plaintiffs
20 shall have and recover from defendants Victor Govin and Pravin Govin, who are jointly and
21 severally liable for all damages, as follows:

22 Wrongful Death

23 Plaintiff Harishbhai Kumar shall recover \$720,000.00 in economic damages for the
24 wrongful deaths of the four victims. Harishbhai Kumar shall also recover \$40,000,000.00 in
25 non-economic compensatory damages for the wrongful deaths of the four victims.

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27 death of her mother, Gita Kumar. Hema Kumar shall also recover \$10,000,000.00 in non-
28 economic compensatory damages for the loss of her mother.

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2 punitive damages for the wrongful deaths of the four victims.

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4 Plaintiffs are also awarded damages for Intentional Infliction of Emotional Distress. These
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15 Plaintiff Aarti Kumar shall recover \$6,000,000.00 in compensatory damages and
16 \$4,000,000.00 in punitive damages for Intentional Infliction of Emotional Distress.

17
18 Interest shall accrue at the rate of ten percent per year from the date of entry of this
19 judgment until paid.

20 Plaintiffs shall also recover costs in the amount of \$_____.

21 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that plaintiffs shall have and
22 recover from defendant Subhash Patel, pursuant to the clerk's entry of default on March 16,
23 2006, and the default judgment now entered by the Court pursuant to Plaintiffs' written
24 declarations and other evidence submitted in support of the default prove-up filed on August 11,
25 2006 as follows:

26 Plaintiffs shall recover damages in the amount of \$400,000.00.

27 Plaintiffs shall recover prejudgment interest at the annual rate of 10% in the amount of
28 \$168,767.20.

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Plaintiffs shall recover attorneys fees in the amount of \$14,647.98.

Plaintiff shall recover costs in the amount of \$131.79.

Interest shall accrue at the daily interest rate of \$109.59 beginning on August 12, 2006.

Dated: _____

Judge of the Superior Court

1 PROOF OF SERVICE

2 STATE OF CALIFORNIA

3 COUNTY OF LOS ANGELES

4 I, Claudia Ayala, am employed in the City of Long Beach, Los Angeles County, California.
5 I am over the age eighteen (18) years and am not a party to the within action. My business
6 address is 180 E. Ocean Boulevard, Suite 200, Long Beach, California 90802.

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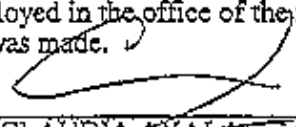
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18 Interest shall accrue at the rate of ten percent per year from the date of entry of this
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20 Plaintiffs shall also recover costs in the amount of \$_____.

21

22

23 Dated: _____

24

Judge of the Superior Court

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1 **PROOF OF SERVICE**

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3 COUNTY OF LOS ANGELES

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14 X (BY MAIL) As follows: I am "readily familiar" with the firm's practice of collection and
15 processing correspondence for mailing. Under the practice it would be deposited with the
16 U.S. Postal Service on that same day with postage thereon fully prepaid at Long Beach,
California, in the ordinary course of business. I am aware that on motion of the party
served, service is presumed invalid if postal cancellation date is more than one day after
date of deposit for mailing an affidavit.

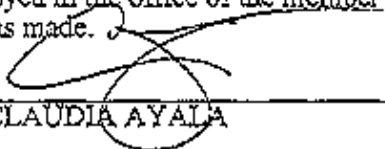
17 Executed on August 30, 2006, at Long Beach, California.

18 X (VIA FACSIMILE TRANSMISSION) As follows: The facsimile machine I used
19 complies with California Rules of Court, Rule 2003, and no error was reported by the
20 machine. Pursuant to Rules of Court, Rule 2006(d), I caused the machine to print a
transmission record of the transmission, copies of which is attached to this declaration.

21 Executed on August 30, 2006, at Long Beach, California.

22 X (STATE) I declare under penalty of perjury under the laws of the State of California that
the foregoing is true and correct.

23 (FEDERAL) I declare that I am employed in the office of the member of the bar of this
24 court at whose direction the service was made.

25 
26 CLAUDIA AYALA

