

OCT 18 2010

DAVID H. YAMASAKI

Chief Executive Officer/Clerk  
Superior Court of CA County of Santa Clara

BY \_\_\_\_\_ DEPUTY

Felicia Samoy

IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA  
COUNTY OF SANTA CLARA - UNLIMITED JURISDICTION

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DREW DAKOTA BIANCHI,

Plaintiffs,

vs.

GORDON TRUCKING, INC.; SAMUEL  
ORTEGO BIMBELA; MICHAEL  
ANTHONY DEMMA; DOES I to 400,  
Inclusive

Defendants.

Case No.: 1-08-CV-104548

JUDGMENT ON JURY VERDICT

BY FAX

AND RELATED CROSS-ACTIONS

SCARLETT LAW GROUP  
536 Pacific Avenue  
San Francisco, CA 94133

This action came on regularly for trial on August 17, 2009 through September 21, 2009, in Department 6 of the Superior Court of California, County of Santa Clara, the Honorable Carrie Zepeda presiding; the plaintiff DREW DAKOTA BIANCHI, by and through his Guardians ad Litem Mark Bianchi and Lynn Bianchi, appearing and being represented by Randall H. Scarlett, Esq. of the Scarlett Law Group and Thomas Wm. Malone, Esq. of Malone Law Office; and the defendant SAMUEL ORTEGO BIMBELA appearing and being represented by John S. Simonson, Esq. of Hayes, Davis, Bonino, Ellingson, McLay & Scott, LLP.

A jury of twelve persons was regularly impaneled and sworn. Witnesses were sworn and testified. After hearing the evidence and argument of counsel, the jury was duly instructed by the Court and the cause was submitted to the jury to return a verdict on special issues. The jury deliberated and thereafter returned into court with its verdict which consisted of the special issues submitted to the jury and the answers given thereto by the jury.

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San Francisco, CA 94133

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The jury returned a verdict as follows:

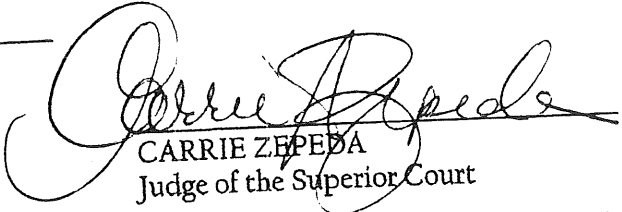
a.	Past medical expenses:	\$3,449,570.87
b.	Future medical expenses:	\$27,637,075.00
c.	Future lost wages:	\$4,536,730.00
d.	Past noneconomic loss, including physical pain and mental suffering:	\$3,500,000.00
e.	Future noneconomic loss, including <u>physical pain and mental suffering:</u>	<u>\$10,000,000.00</u>
	Total:	\$49,123,375.87

The percentage of responsibility for plaintiff DREW BIANCHI's harm assigned to defendant SAMUEL ORTEGO BIMBELA was 60%.

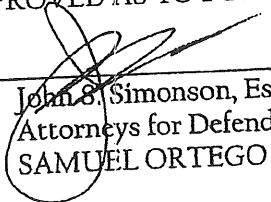
NOW, THEREFORE, IT IS ORDERED, ADJUDGED AND DECREED:

By reason of said Special Verdict that plaintiff DREW DAKOTA BIANCHI, by and through his Guardians ad Litem Mark Bianchi and Lynn Bianchi, is hereby awarded Judgment against defendant SAMUEL ORTEGO BIMBELA in the amount of \$21,967,375.87, which represents \$13,867,375.87 in economic damages and \$8,100,000.00 in non-economic damages, with interest thereon at the rate of 10% per annum from the date of entry of this Judgment until paid, together with such costs and disbursements as may be awarded to plaintiff.

DATED: 10/18/10

  
CARRIE ZEPEDA  
Judge of the Superior Court

APPROVED AS TO FORM:

By   
John S. Simonson, Esq.  
Attorneys for Defendant  
SAMUEL ORTEGO BIMBELA

SCARLETT LAW GROUP  
536 Pacific Avenue  
San Francisco, CA 94133

**PROOF OF SERVICE**

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I declare that I am employed in the County of San Francisco, California. I am over the age of eighteen years and not a party to the within cause; my business address is 536 Pacific Avenue, San Francisco, California 94133.

On the date set forth below, I served the attached **JUDGMENT ON JURY VERDICT** in said cause, by placing a true copy thereof enclosed in a sealed envelope addressed as follows:

Richard L. Alley, Esq.  
Anders Morrison, Esq.  
Hardy, Erich, Brown & Wilson  
1000 G Street, 2d Fl  
Sacramento, CA 95814

John S. Simonson, Esq.  
Sean Onderick, Esq.  
Hayes, Davis, Bonino, et al.  
203 Redwood Shores Pkwy, 4th Fl.  
Redwood Shores, CA 94065

Guy Calladine, Esq.  
Carlson Calladine & Peterson  
353 Sacramento Street, 16<sup>th</sup> Floor  
San Francisco, CA 94111

Thomas W. Malone, Esq.  
Malone Law Offices  
2 Ravinia Drive, Suite 300  
Atlanta, GA 30346

(XX)

**BY MAIL**

I placed each such sealed envelope in the outgoing mail receptacle for collection and mailing with postage thereon fully prepaid, at San Francisco, California, following ordinary business practices. I am readily familiar with the practice of the Scarlett Law Group for processing of outgoing mail, said practice being that in the ordinary course of business, said outgoing mail is deposited in the United States Postal Service the same day as it is placed for processing.

**BY PERSONAL SERVICE:**

I personally delivered by hand to the addressee(s) noted above.

The messenger who made personal, hand delivery has executed a proof of service and it follows this page.

**BY OVERNIGHT DELIVERY SERVICE**

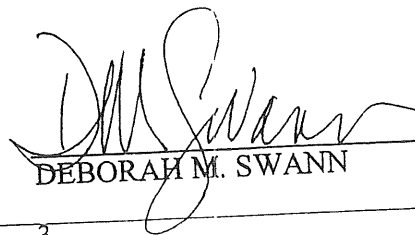
I packaged and arranged for overnight service pursuant to the provisions of the California Code of Civil Procedure.

**BY FACSIMILE**

I transmitted the contents of said envelope to be delivered by Facsimile machine at the number(s) set forth above.

I declare under penalty of perjury, under the laws of the State of California, that the foregoing is true and correct except as to those matters stated on information and belief and as to those matters, I believe it to be true.

DATED: October \_\_, 2010

  
DEBORAH M. SWANN