

ORIGINAL FILED
AUG 17 2016
LOS ANGELES
SUPERIOR COURT

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES-CENTRAL DISTRICT

JOSEPHINE DAVIS, an individual,

Plaintiffs,

v.

ACCENTCARE HOME HEALTH OF
CALIFORNIA, INC., a California
corporation; ACCENTCARE HOME
HEALTH, INC., a Delaware corporation;
and DOES 1 – 50, inclusive,

Defendants.

CASE NO. BC524109

[Filed on October 10, 2013; Assigned to the
Honorable Ruth Ann Kwan: Dept. 72]

Judicate West Case No: A196416

Michelle A. Reinglass, Esq.
601 S. Figueroa St., Suite 4000
Los Angeles, CA 90017

~~PROPOSED~~ JUDGMENT

[Filed concurrently with Petition to Confirm Arbitration
Award and [Proposed] Order]

RES ID: 160218105793

This action came on regularly for arbitration on March 24 – 27, 2015, May 12 and 15,
2015, and June 2 and 17, 2015, Arbitrator Michelle A. Reinglass, Esq., Judicate West, presiding;
the Plaintiff Josephine Davis is represented by attorney Laura L. Horton and Flor C. Dery, the
Horton Law Firm; and the Defendants AccentCare Home Health of California, Inc., et. al. are
represented by Peter L. Wucetich, Stuart Kane.

All parties and their attorneys of record agreed that this matter be submitted to binding
arbitration before Arbitrator Michelle Reinglass of Judicate West ~~and that California Statutes and~~
~~Codes governed the proceedings.~~ The arbitration proceeded with the witnesses being sworn and
testifying. After hearing the evidence and arguments of counsel, on December 31, 2015, the

HORTON LAW
FIRM

-1-

0047

[PROPOSED] JUDGMENT

This language
is unnecessary
for the
Judgment

1 Arbitrator issued an Interim Award in favor of Plaintiff Josephine Davis in the amount of
2 \$473,395 for compensatory damages, and ordered that Plaintiff is the prevailing party. On
3 February 25, 2016 the arbitrator issued a Final Award for reasonable attorneys' fees and costs in
4 the amount of \$1,056,085.57 and interest accruing at 10% per annum, beginning on February 25,
5 2016 until the Judgment is paid. The total award is \$1,529,480.57.

6 On August 4, 2016, the Honorable Ruth A. Kwan, Judge of the Superior Court awarded
7 \$ 5850⁰⁰ in Post-Award attorneys' fees to Plaintiff.

8 Accordingly, pursuant to *Code of Civil Procedure* § 1287.4, Judgment is hereby entered
9 in favor of Plaintiff JOSEPHINE DAVIS, and against ACCENTCARE HOME HEALTH OF
10 CALIFORNIA, INC. and ACCENTCARE HOME HEALTH, INC. for:

- 11 1. Damages, fees, costs and expenses in the sum of \$1,529,480.57 as awarded by
12 Arbitrator Michelle Reinglass pursuant to the December 31, 2015 Interim Award
13 and the February 25, 2016 Final Award, which are attached hereto as Exhibit "A."
- 14 2. Post-Award attorneys' fees in the amount of \$ 5850⁰⁰.
- 15 3. Post-arbitration interest based on the daily rate of \$419.0358 (as calculated by the
16 San Diego Superior Court online judgment calculator,
17 <http://ijcalc.sdcourt.ca.gov/>) beginning February 25, 2016, until Judgment is paid.
- 18 4. Accordingly, Judgment is hereby entered in the amount of \$ 1,535,330.57.

19
20 Dated: 8/17, 2016

RUTH A. KWAN

Hon. Ruth Ann Kwan
Judge of the Superior Court, Dept. 72

21
22 Prepared by:
23 Laura L. Horton, SBN 158990
24 Flor C. Dery, SBN 271876
25 **HORTON LAW FIRM**
26 9045 Corbin Avenue, Suite 260
27 Northridge, CA 91324
28 Telephone: (818) 407-0700
Facsimile: (818) 407-0705
E-mail: laura@horton-law.com
Attorneys for Plaintiff Josephine Davis