

1 JOHN KEVIN CROWLEY (SBN 88189)
2 **CROWLEY & BRERETON**
3 Attorney at Law
4 160 W. Santa Clara Street, Suite 1180
5 San Jose, California 95113
6 (408) 286-1200

7 Attorney for Petitioner
8 **GINA JOANNE FAVORITO**

(ENDORSED)
FILED
MAY 18 2012

DAVID H. YAMASAKI
Chief Executive Officer/Clerk
Superior Court of CA County of Santa Clara
BY _____ DEPUTY

M. Dominguez

9 IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA
10 IN AND FOR THE COUNTY OF SANTA CLARA
11 UNLIMITED JURISDICTION

12 GINA JOANNE FAVORITO,
13 Petitioner,

14 v.

15 ALLIED INSURANCE COMPANY
16 and DOES 1 through 50, inclusive,
17 Respondents.

CASE NO. 110-CV-174509

**JUDGMENT CONFIRMING
ARBITRATION AWARD**

18
19 The motion of Petitioner for an order confirming the arbitration award by the
20 court appointed arbitrator, came on regularly for hearing before the undersigned on
21 March 22, 2012; upon notice duly and regularly given:

22 IT IS ORDERED that the award of the arbitrator determining all issues involving
23 this dispute, finding in favor of Petitioner and awarding general and special damages
24 and applying credits as follows:

25 Past general damages: \$350,000
26 Future general damages: \$750,000
27 Past medical expenses: \$30,571.02
28 Future medical expenses: \$864,425.00

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Past wage loss:	\$66,416.00
Future wage loss:	\$235,872.00
Total before credits	\$2,297,284.02
Med pay credits	<\$4,575.28>
Total after credits	\$2,192,708.74
Under Insured Motorist Coverage:	\$500,000.00
Other payment credit:	< <u>\$100,000.00</u> >
Total amount of final award:	\$400,000.00

That said award is hereby confirmed and judgment is entered in favor of
Petitioner in the amount of \$400,000. .

Both sides bear their own costs.

Dated: MAY 18 2012

Hon. Mark H. Pierce

Honorable Mark Pierce
Judge of the Superior Court

1 **PROOF OF SERVICE BY MAIL - [CCP SECTION 1013(a)3, 2015.5]**

2 I, the undersigned, declare that I am now and at all times herein mentioned over
3 the age of eighteen years, a resident of and employed in the County of Santa Clara,
4 California, and not a party of the within entitled action or cause. My business address is
5 160 W. Santa Clara Street, Suite 1180, San Jose, California 95113.

6 On the date indicated below, I served a true copy of the documents:

7 **JUDGMENT CONFIRMING ARBITRATION AWARD**

8 by placing said copy(ies) in an envelope addressed as follows:

9 Dennis F. Moriarty, Esq.
10 CESARI, WERNER AND MORIARTY
11 360 Post Street, Fifth Floor
12 San Francisco, California 94108-4908
13 415-391-1113 Telephone
14 415-391-4626 Facsimile

15 _____ (By Facsimile Machine [FAX]) By personally transmitting a true copy
16 thereof via an electronic facsimile machine between the hours of 8:00
17 a.m. and 5:00 p.m.

18 X (By U.S. Mail) I am readily familiar with this office's business practice for
19 collection and processing of correspondence for mailing with the United States
20 Postal Service and that this document with postage fully prepaid will be
21 deposited with the United States Postal Service this date in the ordinary course
22 of business.

23 I declare under penalty of perjury that the foregoing is true and correct, and that
24 this declaration was executed at San Jose, California.

25 Dated: 5/25/12

26 
27 Mariela Villarreal
28