

COPY

FILED

Superior Court of California
County of Los Angeles

MAY 15 2019

Sherril R. Carter, Executive Officer/Clerk
By [Signature] Deputy
C. Wilson

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

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

RECEIVED

DEC 20 2018

FILING WINDOW

THE PEOPLE OF THE STATE OF CALIFORNIA,

Plaintiff,

v.

THE DAVITT CORPORATION DBA
CONSUMER RIGHTS LEGAL SERVICES;
JAMES P. DAVITT; JORDAN VAN ATTA;
MARIA SALAZAR; KAMRIN T. KELLY;
AND DOES 1-100, INCLUSIVE,

Defendants,

GREAT AMERICAN INSURANCE
COMPANY,

Relief Defendant.

Case No. BC679780

[Assigned for all purposes to the Honorable
Barbara Scheper, Department 30]

[proposed] JUDGMENT

Against
Jordan Van Atta cr

BY FAX

05/16/2019

1 **GREAT AMERICAN INSURANCE**
2 **COMPANY, AN OHIO CORPORATION,**

3 Cross-Complainant,

4 v.

5 **THE DAVITT CORPORATION, A CALIFORNIA**
6 **CORPORATION, JAMES P; DAVITT, AN**
7 **INDIVIDUAL; AND DOES 1 THROUGH 50,**
8 **INCLUSIVE,**

9 Cross-Defendants.

10 **MARIA SALAZAR, AN INDIVIDUAL,**

11 Cross-Complainant,

12 v.

13 **JAMES P. DAVITT, AN INDIVIDUAL, JORDAN**
14 **VAN ATTA, AN INDIVIDUAL, AND DOES 1**
15 **THROUGH 50, INCLUSIVE,**

16 Cross-Defendants.

17 The People of the State of California, appearing through Attorney General Xavier
18 Becerra, and Defendant Jordan Van Atta (Settling Defendant), appearing through his attorney,
19 Jason M. Stone, having stipulated and consented to the entry of this Final Judgment without the
20 taking of proof and without trial or adjudication of any fact or law herein, without this Judgment
21 constituting evidence of or an admission by Settling Defendant regarding any issue of law or fact
22 alleged in the Complaint on file, and without Settling Defendant admitting any liability regarding
23 allegations of violations that occurred prior to entry of this Judgment, and the Court having
24 considered the matter and good cause appearing:

25 IT IS HEREBY ORDERED THAT:

- 26 1. This Court has jurisdiction of the subject matter hereof and the parties hereto.
27 2. Venue is proper in this Court.

28 ///

1 3. Nothing in this Judgment alters the requirements of federal or state law to the
2 extent they offer greater protection to consumers.

3 4. The Court shall retain continuing jurisdiction for the purpose of enabling any party
4 to the Judgment to apply to the Court at any time for such further orders and directions as may be
5 necessary or appropriate for the construction or the carrying out of this Judgment, for the
6 modification of any of the injunctive provisions hereof, for enforcement of compliance herewith, or
7 for the punishment of violations hereof, if any.

8 5. Settling Defendant shall pay a total of \$20,000 (twenty thousand) to Plaintiff.
9 Payment shall be by certified check payable to the California Department of Justice and delivered
10 to the attention of Deputy Attorney General Richard Sintek, Office of the Attorney General, P.O.
11 Box 85266, San Diego, California 92186-5266.

12 6. This Judgment shall have res judicata effect and shall resolve any claim by the
13 People against Settling Defendant that the People might have asserted based on the acts or
14 practices described in the First Amended Complaint in this action, to the extent such acts or
15 practices occurred before the date of this Judgment and were known to the People as of the date of
16 this Judgment.

17 7. Settling Defendant shall be and hereby is permanently enjoined and restrained;
18 under California Business and Professions Code section 17203, from engaging in any acts or
19 practices in violation of the Telephonic Sellers Law (Business and Professions Code section
20 17512), the False Advertising Law (Business and Professions Code section 17200) or the Unfair
21 Competition Law (Business and Professions Code section 17500), as described in the First
22 Amended Complaint.

23 8. In connection with this action, Settling Defendant shall submit to an interview by
24 the Attorney General's staff at such reasonable time as the staff requests upon reasonable notice.

25 9. If any party to this Judgment brings an action to enforce any terms of this
26 Judgment, the prevailing party shall be entitled to its reasonable costs of enforcement, including
27 attorney fees and costs and expert witness fees.

28 ///

1 10. Except as expressly provided in this Judgment, each Party to this Judgment shall
2 pay its own attorney fees, expert witness fees, and costs of litigation.

3 **IT IS SO HEREBY ORDERED.** The Clerk of the Court is directed to enter this
4 Judgment forthwith.

5 Dated: MAY 15 2019, 2018

Barbara M. Schepers
Judge of the Superior Court

BARBARA M. SCHEPER

8 LA2017507005

9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

05/16/2019