

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, state bar number, and address): Lucas T. Novak, Esq. (SBN 257484) Law Offices of Lucas T. Novak 8335 W Sunset Blvd., Suite 217 Los Angeles, CA 90069 TELEPHONE NO.: 323-337-9015 FAX NO. (Optional): E-MAIL ADDRESS (Optional): lucas.nvk@gmail.com ATTORNEY FOR (Name): APS&EE, LLC	FOR COURT USE ONLY FILED Superior Court of California County of Los Angeles 06/06/2023 David W. Slayton, Executive Officer / Clerk of Court By: <u> L. Gomez </u> Deputy
SUPERIOR COURT OF CALIFORNIA, COUNTY OF Los Angeles STREET ADDRESS: 111 N Hill St MAILING ADDRESS: 111 N Hill St CITY AND ZIP CODE: Los Angeles, CA 90012 BRANCH NAME: Stanley Mosk (Central)	
PLAINTIFF: APS&EE, LLC DEFENDANT: TMD Holdings, LLC	
<div style="text-align: center;">JUDGMENT</div> <div style="display: flex; justify-content: space-between;"> <div style="width: 30%;"> <input type="checkbox"/> By Clerk <input type="checkbox"/> By Court </div> <div style="width: 30%;"> <input checked="" type="checkbox"/> By Default <input type="checkbox"/> On Stipulation </div> <div style="width: 30%;"> <input type="checkbox"/> After Court Trial <input type="checkbox"/> Defendant Did Not Appear at Trial </div> </div>	CASE NUMBER: 21STCV18431

JUDGMENT

1. ☒ **BY DEFAULT**
 - a. Defendant was properly served with a copy of the summons and complaint.
 - b. Defendant failed to answer the complaint or appear and defend the action within the time allowed by law.
 - c. Defendant's default was entered by the clerk upon plaintiff's application.
 - d. ☐ **Clerk's Judgment** (Code Civ. Proc., § 585(a)). Defendant was sued only on a contract or judgment of a court of this state for the recovery of money.
 - e. ☒ **Court Judgment** (Code Civ. Proc., § 585(b)). The court considered
 - (1) ☐ plaintiff's testimony and other evidence.
 - (2) ☒ plaintiff's written declaration (Code Civ. Proc., § 585(d)).
2. ☐ **ON STIPULATION**
 - a. Plaintiff and defendant agreed (stipulated) that a judgment be entered in this case. The court approved the stipulated judgment and
 - b. ☐ the signed written stipulation was filed in the case.
 - c. ☐ the stipulation was stated in open court ☐ the stipulation was stated on the record.
3. ☐ **AFTER COURT TRIAL.** The jury was waived. The court considered the evidence.
 - a. The case was tried on (date and time):
before (name of judicial officer):
 - b. Appearances by:

<input type="checkbox"/> Plaintiff (name each): (1) (2) <input type="checkbox"/> Continued on Attachment 3b. <input type="checkbox"/> Defendant (name each): (1) (2) <input type="checkbox"/> Continued on Attachment 3b.	<input type="checkbox"/> Plaintiff's attorney (name each): (1) (2) <input type="checkbox"/> Defendant's attorney (name each): (1) (2)
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 - c. ☐ Defendant did not appear at trial. Defendant was properly served with notice of trial.
 - d. ☐ A statement of decision (Code Civ. Proc., § 632) ☐ was not ☐ was requested.

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JUDGMENT IS ENTERED AS FOLLOWS BY: ☒ **THE COURT** ☐ **THE CLERK**

4. ☐ **Stipulated Judgment.** Judgment is entered according to the stipulation of the parties.

5. **Parties.** Judgment is

a. ☒ for plaintiff (*name each*):

APS&EE, LLC

and against defendant (*names*):

TMD HOLDINGS, LLC

☐ Continued on Attachment 5a.

b. ☐ for defendant (*name each*):

c. ☐ for cross-complainant (*name each*):

and against cross-defendant (*name each*):

☐ Continued on Attachment 5c.

d. ☐ for cross-defendant (*name each*):

6. **Amount.**

a. ☒ Defendant named in item 5a above must pay plaintiff on the complaint:

(1) <input type="checkbox"/> Damages	\$	
(2) <input type="checkbox"/> Prejudgment interest at the annual rate of	\$	
	%	
(3) <input checked="" type="checkbox"/> Attorney fees	\$	62,184
(4) <input type="checkbox"/> Costs	\$	
(5) <input checked="" type="checkbox"/> Other (<i>specify</i>) Civil Penalties	\$	\$368,000
(6) TOTAL		\$ 430,184

b. ☐ Plaintiff to receive nothing from defendant named in item 5b.

☐ Defendant named in item 5b to recover costs \$

☐ and attorney fees \$

c. ☐ Cross-defendant named in item 5c above must pay cross-complainant on the cross-complaint:

(1) <input type="checkbox"/> Damages	\$	
(2) <input type="checkbox"/> Prejudgment interest at the annual rate of	\$	
	%	
(3) <input type="checkbox"/> Attorney fees	\$	
(4) <input type="checkbox"/> Costs	\$	
(5) <input type="checkbox"/> Other (<i>specify</i>):	\$	
(6) TOTAL		\$

d. ☐ Cross-complainant to receive nothing from cross-defendant named in item 5d.

☐ Cross-defendant named in item 5d to recover costs \$

☐ and attorney fees \$

7. ☒ **Other (*specify*):** 1) Pursuant to Health & Safety Code section 25249.7(a), Defendant is permanently enjoined from selling, or causing to be sold, in California, ceramic mugs with exterior decorations without providing clear and reasonable warnings that comply with the law; and
 2) Defendant is ordered to pay all of Plaintiff's attorneys' fees and costs incurred to collect on the judgment.

Date: 6/6/23

☐ _____



Jill Feeney
JUDICIAL OFFICER

Jill Feeney / Judge

Date: ☐ Clerk, by _____, Deputy

(SEAL)

CLERK'S CERTIFICATE (*Optional*)

I certify that this is a true copy of the original judgment on file in the court.

Date: _____

Clerk, by _____, Deputy