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8 SUPERIOR COURT OF THE STATE OF CALIFORNIA, COUNTY OF SAN DIEGO
9 HALL OF JUSTICE

10 SANTO DIGRIGOLI, an individual

11 Plaintiff,

12 vs.

13 MARYANN BOLTON, an individual;
14 GAFFNEY FOODS, INC., a California
15 corporation d.b.a. PASCUCCI FAMILY
16 PASTA; JOSEPH BAHRIZ, and
17 MOHAMMED BAHRIZ,

18 Defendants.

CASE NO. 37-2012-00095019-CU-BC-
CTL

[IMAGED FILE]

[PROPOSED] JUDGMENT

Judge: Hon. John S. Meyer
Dept.: 61
Case Filed: April 3, 2012
Trial Date: July 19, 2013

18 MARYANN BOLTON, an individual,

19 Cross-Complainant

20 vs.

21 SANTO DIGRIGOLI, an individual,

22 Cross-Defendant.

23 The above captioned matter came before this Court by Court trial July 22 through
24 25, 2013. Plaintiff Santo D. Grigoli was represented by Scott A. McMillan. Defendant
25 Maryann Bolton was represented by Gerald E. Smith. Defendants Joseph and Mohammad
26 Bahriz were represented by Moataz S. Hamza. Default Judgment was entered as to
27 Defendant Gaffney Foods, Inc., which did not appear.
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1 Judgment is hereby ordered as follows:

2 **JUDGMENT**

3 IT IS HEREBY ORDERED, ADJUDGED AND DECREED that:

4 1. Plaintiff Santo DiGrigoli shall recover nothing on his First Cause of Action
5 for Breach of Contract.

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7 2. Judgment is entered in favor of Plaintiff Santo DiGrigoli and against
8 Defendants Maryann Bolton and Joseph Bahriz on the Second Cause of Action for
9 Conversion. The court finds that Defendant Maryann Bolton and Defendant Joseph
10 Bahriz are jointly and severally liable to Plaintiff DiGrigoli for \$30,000.

11 Judgment is entered in favor of Plaintiff Santo DiGrigoli and against Defendant
12 Gaffney Foods, Inc. on the Second Cause of Action for Conversion, in the amount of
13 \$3,000, plus prejudgment interest in the amount of \$327.18 for a total of \$3,327.18.

14 3. Judgment is entered in favor of Plaintiff Santo DiGrigoli and against Defendant
15 Maryann Bolton on his Third Cause of Action for breach of fiduciary duty in the amount
16 of \$5,000.

17 4. Plaintiff Santo DiGrigoli shall recover nothing on his Fourth Cause of Action
18 for Intentional Misrepresentation.

19 5. Plaintiff Santo DiGrigoli shall recover nothing on his Fifth Cause of Action
20 for claim and delivery.

21 6. Plaintiff Santo DiGrigoli shall recover nothing on his Sixth Cause of Action
22 for injunction.

23 7. Judgment is entered in favor of Plaintiff DiGrigoli and against Defendants
24 Maryann Bolton and Joseph Bahriz on Plaintiff's Seventh Cause of Action for unjust
25 enrichment and quantum meruit. The court finds that Defendant Bolton and Defendant
26 Joseph Bahriz are jointly and severally liable to Plaintiff DiGrigoli for \$30,000, such
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1 damages are coextensive to those awarded for the Second Cause of Action for
2 Conversion.

3 8. The Court previously granted monetary discovery sanctions in favor of
4 Plaintiff's counsel and against Defendant Maryann Bolton and those remain payable to
5 The McMillan Law Firm, APC in the amount \$2,120.00.

6 9. Cross-Complainant Bolton shall recover nothing on her cross-complaint.

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8 10. The Court finds in favor of Defendant Mohammed Bahriz and against Plaintiff
9 Santo DiGrigoli.

10 The parties shall make any applications for costs and/or attorneys' fees in
11 compliance with California Rules of Court Rules 3.1700 and 3.1702.

12 IT IS SO ORDERED

13 DATED: 09/24/2015



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16 HON. JOHN S. MEYER

17 Judge of the Superior Court

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20 Submitted by:

21 The McMillan Law Firm, APC

22 Dated: September 8, 2015

23 /S/ Scott A. McMillan

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25 Scott A. McMillan

26 Attorney for Plaintiff-Cross-Defendant

27 Santo DiGrigoli

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