

1 Joseph A. Sammartino (SBN 255843)
2 EPSTEN, APC
3 3111 Camino Del Rio North, Suite 560
4 San Diego, California 92108
5 (858) 527-0111/FAX (858) 527-1531
6 jsammartino@epsten.com

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8 Attorneys for Cross-Complainant
9 THE COLONY AT CALIFORNIA OAKS
10 HOMEOWNERS ASSOCIATION

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SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF RIVERSIDE

MAJESTIC ASSET MANAGEMENT LLC,
a Nevada limited liability company,
WINTECH DEVELOPMENT INC., a
California corporation,

Plaintiffs,

v.

GEORGE PAPPAS, and individual;
VALLEY GOLF LLC, a California limited
liability company; PACIFIC GOLF
ENTERPRISES LLC, a California limited
liability company; THE COLONY AT
CALIFORNIA OAKS HOMEOWNERS
ASSOCIATION, a California corporation,

Defendants,

AND RELATED CROSS-ACTIONS.

CASE NO. RIC 1213939

Assigned To:

Judge: Hon. Eric A. Keen

Dept: 6

**NOTICE OF RULING AND ORDER ON
MOTION FOR ATTORNEYS' FEES**

Reservation No. 2658000099752

Complaint Filed: September 13, 2012

Trial Date: July 2, 2015

On June 14, 2024, at 8:30 a.m., in Department 6 of the above referenced court, The Colony At California Oaks Homeowners Association's Motion for an Award of Attorneys' Fees and Costs was heard, the Hon. Eric Keen, presiding. Joseph A. Sammartino, Esq. of Epsten APC, appeared remotely on behalf of The Colony At California Oaks Homeowners Association ("Association"); Michael G. Kerbs, Esq. of Reid & Hellyer APC appeared remotely on behalf of Majestic Asset Management LLC, Wintech Development Inc., Hai Huang and Jen Huang (collectively "Majestic" or the "Huang"). The hearing initially had been set for May 29, 2024,

1 at 8:30 AM but was moved to June 14, 2024, at 8:30 AM after the briefing was completed and
2 submitted to the court for consideration.

3 Under Code of Civil Procedure section 685.040, the Association moved for attorneys'
4 fees and costs in its prosecution of case number MCC2000132, which has been determined to
5 be an enforcement of the Association's judgment in this case. Under sections 685.040 and
6 6805.080 the Association requested fees and costs back two years from the date of the filing of
7 the motion totaling \$404,457.55, which included all fees increased by a lodestar multiplier and
8 all cost.

9 The court issued a tentative ruling in which it eliminated the lodestar multiplier as well
10 as other fees, resulting in a tentative award of \$232,755.05, including costs. At the hearing,
11 counsel for the Association persuaded the court to award an additional \$4,950 in fees. Also at
12 the hearing, counsel for Majestic persuaded the court to reduce the costs award by \$3,592. The
13 court issued a final award to the Association of \$234,113.00.

14 Having considered the papers filed in relation to the application and the argument of
15 counsel at the time of hearing, and GOOD CAUSE APPEARING,

16 **IT IS HEREBY ORDERED:**

- 17 1. The Association's Motion for Attorneys' Fees and Costs is granted.
18 2. The Huangs and/or Majestic and/or Wintech must pay the Association the amount of
19 \$234,113.00 within 10 days of this order.

20 Dated: June 17, 2024

EPSTEN, APC

21 By: 

22 Joseph A. Sammartino, Esq.
23 Attorneys for THE COLONY AT
24 CALIFORNIA OAKS HOMEOWNERS
ASSOCIATION

25 **IT IS SO ORDERED.**

26
27 Dated: _____, 2024

By: _____

Hon. Eric. A. Keen
Judge of the Superior Court