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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

Jose Valadez, et al.,

NO. C 08-03100 JW

Plaintiffs,

JUDGMENT

v.

Ruben Aguallo, et al.,

Defendants.

This case was tried to a jury, District Judge James Ware presiding. Attorney Blaine Fields represented Plaintiffs Jose Valadez and Babita Valadez. Attorney Dov Grunschlag represented Defendants Ruben Aguallo and Paul Gregorio.

The case was submitted to the jury for decision on four claims, as follows:

The First Claim was by Plaintiffs against both Defendants for violation of 18 U.S.C. 1962(c)-(d).

The Second Claim was by Plaintiffs against both Defendants for common law extortion.

The Third Claim was by Plaintiffs against both Defendants for fraud.

The Fourth Claim was by Plaintiffs against both Defendants for intentional infliction of emotional distress.

The verdict form required the Jury to state its finding with respect to each claim by answering written interrogatories. On September 21, 2009, the jury returned a unanimous verdict on each interrogatory submitted to it. (See Docket Item No. 97.) Pursuant to the jury verdict, judgment is entered as follows:

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On Plaintiffs' First, Second, and Fourth Claim:

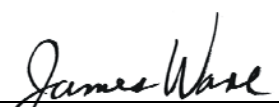
- (1) Judgment is entered in favor of Plaintiff Jose Valadez in the amount of \$70,001. This amount represents \$1 of damages for injury to business, \$60,000 of compensatory damages, and \$10,000 of punitive damages for Plaintiff Jose Valadez. Of the compensatory damages, \$35,000 shall be paid by Defendant Ruben Aguallo and \$25,000 shall be paid by Defendant Paul Gregorio. Of the punitive damages, \$5000 shall be paid by each Defendant.
- (2) Judgment is entered in favor of Plaintiff Babita Valadez in the amount of \$70,001. This amount represents \$1 of damages for injury to business, \$60,000 of compensatory damages, and \$10,000 of punitive damages for Plaintiff Babita Valadez. Of the compensatory damages, \$35,000 shall be paid by Defendant Ruben Aguallo and \$25,000 shall be paid by Defendant Paul Gregorio. Of the punitive damages, \$5000 shall be paid by each Defendant.
- (3) In total, Judgment is entered in favor of Plaintiffs Jose Valadez and Babita Valadez in the amount of \$140,002. This amount represents \$2 of damages for injury to business, \$120,000 of compensatory damages, and \$20,000 of punitive damages for both Plaintiffs. Of this total, \$80,001 shall be paid by Defendant Ruben Aguallo and \$60,001 shall be paid by Defendant Paul Gregorio.

On Plaintiffs' Third Claim, judgment is entered in favor of both Defendants. Plaintiffs Jose Valadez and Babita Valadez shall take nothing from these Defendants on the Third Claim.

Plaintiffs are entitled to an award of attorney fees and costs against both Defendants pursuant to 18 U.S.C. § 1964(c).

The Clerk shall close this file.

Dated: October 2, 2009



JAMES WARE
United States District Judge

1 **THIS IS TO CERTIFY THAT COPIES OF THIS ORDER HAVE BEEN DELIVERED TO:**

2 Blaine L. Fields blaine.fields@sbcglobal.net
3 Dov M. Grunschlag dgrunschlag@carterfries.com
4 Michelle Q. Carter michelle@carterfries.com
5 William P. Donovan william.donovan@dlapiper.com

6 **Dated: October 2, 2009**

Richard W. Wieking, Clerk

7
8 **By: /s/ JW Chambers**
9 **Elizabeth Garcia**
10 **Courtroom Deputy**

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