

United States District Court
For the Northern District of California

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

CUC DANG,

Plaintiff,

v.

SUTTER'S PLACE, INC., dba BAY 101

Defendant.

Case No. C-10-02181 RMW

JUDGMENT

On May 22, 2013 the jury rendered its verdict awarding plaintiff Cuc Dang (“Dang”) a total of \$6,965 on her claim for missed meal and rest periods. The jury found in favor of defendant Sutter’s Place dba Bay 101 (“Bay 101”) on all other claims submitted to it. On October 28, 2013 the court found in favor of Dang on her equitable claim for violation of California Business & Professions Code § 17000 *et seq.* (“UCL”). The court found that Dang was entitled to restitution of \$6,965 for payments for withheld meal and rest breaks. Therefore,

IT IS HEREBY ORDERED that Dang is entitled to judgment against Bay 101 on her first cause of action for damages of \$6,965 for the failure to provide meal and rest breaks. She is also entitled to judgment on her eighth cause of action for restitution of \$6,965 for Bay 101’s violation of

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the UCL. Dang, however, is entitled to recover only a total of \$6,965 because the damages and restitution cover the same loss.

IT IS HEREBY ORDERED that Dang is not entitled to any recovery on her second, third, fourth, sixth, seventh, ninth or tenth claims.

Dated: October 28, 2013


RONALD M. WHYTE
United States District Judge