

<p>ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address):  <b>Brian Brandt, State Bar No. 130527</b>  <b>309 N. Euclid Ave.</b>  <b>Upland, CA 91786</b>  <b>Brian Brandt, State Bar No. 130527</b>          TELEPHONE NO.: (909) 932-1162      FAX NO. (Optional) (909) 932-1161          E-MAIL ADDRESS (Optional):          ATTORNEY FOR (Name): <b>Plaintiff Cynthia Castillo</b></p>	<p>FOR COURT USE ONLY</p>
<p><b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF San Bernardino</b>          STREET ADDRESS: <b>8303 N. Haven Ave.</b>          MAILING ADDRESS:          CITY AND ZIP CODE: <b>Rancho Cucamonga 91730</b>          BRANCH NAME: <b>West Valley District</b></p>	
<p>PLAINTIFF/PETITIONER: <b>Cynthia Castillo</b>          DEFENDANT/RESPONDENT: <b>Ford Motor Company et al.</b></p>	
<p align="center"><b>NOTICE OF ENTRY OF JUDGMENT OR ORDER</b></p> <p>(Check one):    <input checked="" type="checkbox"/> <b>UNLIMITED CASE</b>          (Amount demanded exceeded \$25,000)      <input type="checkbox"/> <b>LIMITED CASE</b>          (Amount demanded was \$25,000 or less)</p>	<p>CASE NUMBER: <b>CIVRS 706262</b></p>

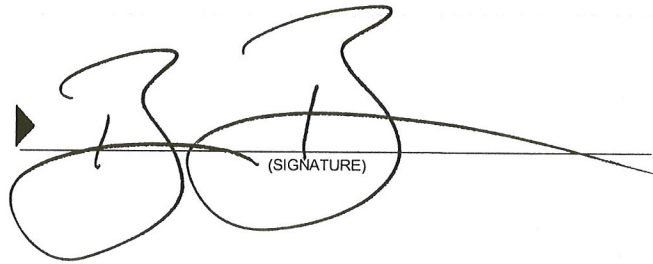
**TO ALL PARTIES :**

1. A judgment, decree, or order was entered in this action on (date): February 25, 2010
2. A copy of the judgment, decree, or order is attached to this notice.

Date: March 2, 2010

Brian Brandt

(TYPE OR PRINT NAME OF  ATTORNEY  PARTY WITHOUT ATTORNEY)



(SIGNATURE)

PLAINTIFF/PETITIONER:	Cynthia Castillo	CASE NUMBER:	
DEFENDANT/RESPONDENT:	Ford Motor Company, et al.	CIVRS 706262	

**PROOF OF SERVICE BY FIRST-CLASS MAIL  
NOTICE OF ENTRY OF JUDGMENT OR ORDER**

**(NOTE: You cannot serve the Notice of Entry of Judgment or Order if you are a party in the action. The person who served the notice must complete this proof of service.)**

1. I am at least 18 years old and **not a party to this action**. I am a resident of or employed in the county where the mailing took place, and my residence or business address is (*specify*): 309 N. Euclid Ave., Upland CA 91786
  
2. I served a copy of the *Notice of Entry of Judgment or Order* by enclosing it in a sealed envelope with postage fully prepaid and (*check one*):
  - a.  deposited the sealed envelope with the United States Postal Service.
  - b.  placed the sealed envelope for collection and processing for mailing, following this business's usual practices, with which I am readily familiar. On the same day correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service.
  
3. The *Notice of Entry of Judgment or Order* was mailed:
  - a. on (*date*): March 2, 2010
  - b. from (*city and state*): Upland, California
  
4. The envelope was addressed and mailed as follows:
 

<ol style="list-style-type: none"> <li>a. Name of person served: Warren Platt, SNELL &amp; WILMER LLP Street address: 600 Anton Boulevard, Suite 1400 City: Costa Mesa State and zip code: California 92626-7689</li> </ol>	<ol style="list-style-type: none"> <li>c. Name of person served: Kelly MacHenry, SNELL &amp; WILMER LLP Street address: 400 East Van Buren City: Phoenix State and zip code: Arizona 85004</li> </ol>
<ol style="list-style-type: none"> <li>b. Name of person served: Robert J. Langdon, LANGDON &amp; EMISON Street address: 911 Main Street City: Lexington State and zip code: MO 64067</li> </ol>	<ol style="list-style-type: none"> <li>d. Name of person served:  Street address: City: State and zip code:</li> </ol>

Names and addresses of additional persons served are attached. (*You may use form POS-030(P).*)

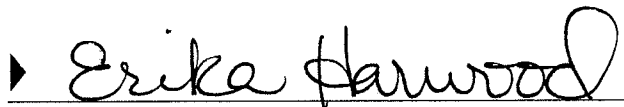
5. Number of pages attached 7.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: March 2, 2010

Erika Harwood

(TYPE OR PRINT NAME OF DECLARANT)



(SIGNATURE OF DECLARANT)

1 Robert L. Langdon (MO Bar #23233)  
(Admitted pro hac)  
2 Adam W. Graves (MO Bar # 55190)  
(Admitted pro hac)  
3 Phyllis A. Norman (MO Bar # 55887)  
(Admitted pro hac)  
4 LANGDON & EMISON  
911 Main Street, P.O. Box 220  
5 Lexington, Missouri 64067  
Telephone: (660) 259-6175  
6 Facsimile: (660) 259-4571  
blangdon@langdonemison.com  
7 agraves@langdonemison.com  
pnorman@langdonemison.com

8 Daniel T. Defeo (MO Bar # 35161)  
(Admitted pro hac)  
9 THE DEFEO LAW FIRM  
10 924 Main Street  
Lexington, Missouri 64067  
11 Telephone: (660) 259-9806  
ddefeo@defeolaw.com

12 Brian Brandt (#130527)  
13 LAW OFFICES OF BRIAN BRANDT  
California Bar No. 130527  
14 309 North Euclid Avenue  
Upland, CA 91786  
15 Telephone: (909) 932-1162  
Facsimile: (909) 932-1161  
16 ATTORNEYS FOR PLAINTIFFS

17 **IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA**  
18 **FOR THE COUNTY OF SAN BERNARDINO - RANCHO CUCAMONGA**  
19

20 CYNTHIA CASTILLO,

21 Plaintiff

22 vs.

23 FORD MOTOR COMPANY,

24 Defendant.

Case No. CIVRS 706262

Honorable Martin A. Hildreth  
Department R11

**(PROPOSED) JUDGMENT**

Date of Filing: July 12, 2007  
Trial Date: January 4, 2010

**FILED**  
SUPERIOR COURT  
COUNTY OF SAN BERNARDINO  
RANCHO CUCAMONGA DISTRICT  
FEB 25 2010

BY Cesar R. Lopez DEPUTY

FEB 22 2010  
**RECEIVED**  
SUPERIOR COURT  
COUNTY OF SAN BERNARDINO

1 (PROPOSED) JUDGMENT

2 This case came on regularly for trial on January 4, 2010, Robert L. Langdon,  
3 Adam W. Graves and Phyllis A. Norman of Langdon & Emison, Daniel T. DeFeo of  
4 The DeFeo Law Firm, and Brian Brandt of the Law Offices of Brian Brandt appeared as  
5 counsel for Plaintiff Cynthia Castillo and Warren Platt, Kelly MacHenry and Bobby  
6 Eftekar of Snell & Wilmer appeared as counsel for Defendant Ford Motor Company.

7 Thereupon a jury of twelve (12) persons was duly accepted, impaneled and  
8 sworn, and witnesses on the part of Plaintiff and Defendant were duly sworn and  
9 examined.

10 After hearing the evidence, the arguments of counsel, and instructions of the  
11 Court, the cause was submitted to the jury, who rendered the following verdict, which  
12 was accepted by the Court and entered into the minutes, on February 18, 2010, as  
13 follows:

14 "We, the jury in the above entitled case, find the following special verdict on the  
15 questions submitted to us:

16 1. Did the 1997 Ford Explorer contain a defect in design?

17 Answer: Yes

18 2. Did the defect exist when the 1997 Ford Explorer left the possession of  
19 Ford Motor Company?

20 Answer: Yes

21 3. Was the 1997 Ford Explorer used in a way that was reasonably foreseeable  
22 to Ford Motor Company?

23 Answer: Yes

24 4. Was the 1997 Ford Explorer's design a substantial factor in causing harm  
25 to the Plaintiff?

26 Answer: Yes

27 5. Was there comparative fault or negligence on the part of Cynthia Castillo  
28 for her maintenance of the 1997 Explorer?

1 Answer: Yes

2 6. Was Cynthia Castillo's negligence a substantial factor in causing her  
3 harm?

4 Answer: Yes

5 7. Was Corona Battery & Tire negligent?

6 Answer: Yes

7 8. Was Corona Battery & Tire's negligence a substantial factor in causing  
8 Plaintiff's harm?

9 Answer: Yes

10 9. What do you find to be the total amount of damages, including economic  
11 and non-economic damages, if any, suffered by Cynthia Castillo as a result of  
12 the crash? Answer:

13	a.	Past medical expenses	\$1,075,662
14	b.	Future medical expenses	\$11,352,442
15	c.	Past loss of earnings	\$42,864
16	d.	Future loss of earnings	\$178,351
17	e.	Past loss of ability to provide household 18 services	\$181,920
19	f.	Future loss of ability to provide household 20 services	\$609,862
21	g.	Past non-economic loss, including physical 22 pain, mental suffering, loss of quality and enjoyment of life	\$2,000,000
23	h.	Future non-economic loss, including 24 physical pain, mental suffering, loss of quality and enjoyment of life	\$8,000,000

25 Total: \$23,441,101

1           10.    What percentage of responsibility for Cynthia Castillo's damages do you  
2           assign to:

3                   Cynthia Castillo           1.5 %  
4                   Ford Motor Company        91.5 %  
5                   Corona Battery & Tire     7%  
6                   TOTAL:                    100%”

7  
8           Wherefore, IT IS HEREBY ORDERED, ADJUDGED AND DECREED That:

9           A) The Court hereby enters judgment against Defendant Ford Motor Company,  
10          pursuant to Civil Code Section 1431 as follows:

11                   (1) Plaintiff Cynthia Castillo shall recover economic damages for personal  
12          injuries in the amount of \$13,441,101 less (a) a reduction of \$477,355.50 for the  
13          settlements with Michelin North America, Inc. and Jaime Martinez and Alfredo  
14          Martinez, individuals doing business as Corona Battery & Tire and (b) a reduction of  
15          \$194,456.18 for Cynthia Castillo's comparative fault for a net award in the amount of  
16          \$12,769,289.32. The settlement reduction is because Defendant is entitled to a pro-  
17          rata reduction of the economic damages as an offset from a portion of the prior  
18          settlements with Michelin North America, Inc. and Jaime Martinez and Alfredo  
19          Martinez doing business as Corona Battery & Tire per the ratio of economic damages  
20          to non-economic damages 57.34% economic to 42.66% non-economic damages and the  
21          comparative fault reduction is since the jury assigned 1.5% fault to Cynthia Castillo;  
22          and

23                   (2) Plaintiff Cynthia Castillo shall recover non-economic damages for  
24          personal injuries in the amount of \$9,150,000, which is 91.5% of the total non-  
25          economic damages of \$10,000,000.00.

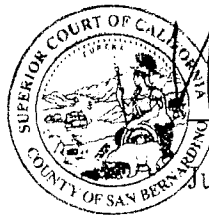
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27           (B) Further, Plaintiff, as the prevailing party and since the verdict exceeds the  
28          amount of Plaintiff's CCP Section 998 statutory offer to compromise to Defendant of

1 April 3, 2009, Plaintiff is also entitled to recover costs and pre-judgment interest from  
2 Defendant Ford Motor Company on the net judgment, at 10% from April 3, 2009  
3 (pursuant to Civil Code Section 3291). Prejudgment interest from April 3, 2009  
4 through Monday, February 22, 2010 totals \$1,957,722.83.

5  
6 (C) Therefore, judgment is entered against the Defendant Ford Motor Company  
7 in the amount of \$23,877,012.15 through February 22, 2010 plus costs and interest at  
8 the legal rate of 10 percent per annum until satisfaction of the judgment.

9  
10 IT IS SO ORDERED.

11  
12 February 25, 2010  
13 Date



14 Martin A. Hildreth  
15 Judge Martin A. Hildreth  
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1 **PROOF OF SERVICE**

2 CASTILLO vs. FORD MOTOR CO., et al Case No.: CIVRS 706262

3 STATE OF CALIFORNIA, COUNTY OF SAN BERNARDINO

4 I am a citizen of the United States and employed in the County of San Bernardino, State  
5 of California. I am over the age of 18 and not a party to the within action; my business address is  
6 309 North Euclid Avenue, Upland, CA 91786.

7 On February 22, 2010, I served the foregoing document described as:

8 **(PROPOSED) JUDGMENT**

9  
10 on the interested parties in this action by placing a true copy thereof enclosed in a sealed  
11 envelope addressed as follows:

12 **SEE ATTACHED MAILING LIST**

13  
14  BY MAIL As follows: I am "readily familiar" with the firm's practice of collection  
15 and processing correspondence for mailing. Under that practice it would be deposited  
16 with the U.S. Postal Service on that same day with postage thereon fully prepaid at  
17 Upland, California in the ordinary course of business. I am aware that on motion of the  
18 party served, service is presumed invalid if postal cancellation date or postage meter date  
19 is more than one day after the date of deposit for mailing an affidavit.

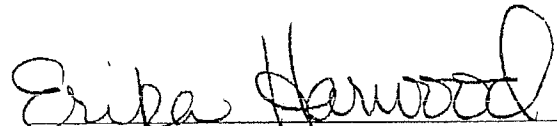
20  BY FAX By faxing a true copy thereof.

21  BY PERSONAL SERVICE

22  By personally delivering copies thereof to the person served.

23  I delivered such envelope by and to the offices of the addressee pursuant to C.C.P.  
24 §1011.

25 I declare under penalty of perjury that the foregoing is true and correct. Executed this  
26 February , 22, 2010 at Upland, California.

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Erika Harwood

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MAILING LIST  
*Cynthia Castillo vs. Ford Motor Company - CIVRS 706262*

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