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CONFORMED COPY  
ORIGINAL FILED  
Superior Court of California  
County of Los Angeles

JAN -3 2018

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By Nancy Alvarez, Deputy

10 Attorneys for Plaintiff,  
11 DELLA HILL

12 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**  
13 **FOR THE COUNTY OF LOS ANGELES, CENTRAL DISTRICT**  
14

15 DELLA HILL,

16 Plaintiff,

17 vs.

18 ASIAN AMERICAN DRUG ABUSE  
19 PROGRAM. INC., a corporation

20 Defendant.  
21  
22  
23  
24

Case No.: BC 582 516

**The Honorable Stephanie Bowick**

**PLAINTIFF DELLA HILL'S NOTICE  
OF LODGING PROPOSED JUDGMENT**

Dept. 19

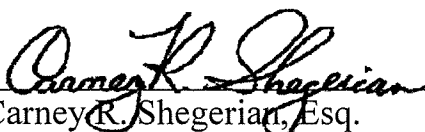
25 Action Filed: May 20, 2015  
26  
27  
28

1 Plaintiff, Della Hill, submits his proposed judgment, before the Honorable  
2 Stephanie Bowick, in Department 19 of Los Angeles Superior Court, Central District—  
3 Stanley Mosk Courthouse, at 111 North Hill Street, Los Angeles, California  
4 90012-3117.

5 Attached as **Exhibit 1** is plaintiff's proposed judgment.

6  
7 Dated: January 3, 2018

SHEGERIAN & ASSOCIATES, INC.

8  
9 By:  \_\_\_\_\_  
Carney R. Shegerian, Esq.

10  
11 Attorneys for Plaintiff,  
DELLA HILL

# EXHIBIT 1

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SUPERIOR COURT OF THE STATE OF CALIFORNIA  
COUNTY OF LOS ANGELES - CENTRAL DISTRICT

DELLA HILL,

Plaintiff,

vs.

ASIAN AMERICAN DRUG ABUSE  
PROGRAM. INC., a corporation

Defendant.

Case No. BC 582 516

[PROPOSED] JUDGMENT ON  
SPECIAL VERDICT

Dept.: 19

This action came on regularly for trial on November 29, 2017, in Department 19 of the above-entitled Court, the Honorable Stephanie Bowick, Judge of the Superior Court, presiding. Attorney Carney R. Shegerian, Anthony Nguyen, and Mark Lim of Shegerian & Associates, Inc. appeared for plaintiff Della Hill. Attorneys Richard Tricker and Elizabeth Treckler of Winget, Spandafora & Schwartzberg, LLP appeared for defendant Asian American Drug Abuse Program, Inc.

A jury of twelve persons was regularly impaneled and sworn and agreed to try the cause. Witnesses were sworn and testified. After hearing the evidence and arguments of counsel, the jury was duly instructed by the Court and the cause was

1 submitted to the jury with directions to return a special verdict. The jury deliberated  
2 and thereafter returned to court with its special verdict on the issues submitted and  
3 the answers given thereto by the jury, which verdict was in words and figures as  
4 follows:

5  
6 **SPECIAL VERDICT**  
7

8 We, the jury in the above action, find the following Special Verdict on the  
9 questions submitted to us:

10  
11 **Failure to Engage in the Interactive Process Cause of Action** (CACI 2513VF)

12 **Question No. 1:** Was Asian American Drug Abuse Program, Inc.’s failure to  
13 participate in a timely, good-faith interactive process a substantial factor in causing  
14 harm to Della Hill?

15 Yes  No

16 Go to Question No. 2.

17  
18 **Failure to Accommodate Disability Cause of Action** (CACI 2509VF)

19 **Question No. 2:** Was Della Hill able to perform the essential duties of her job  
20 or a vacant position with reasonable accommodation for her physical and/or mental  
21 disability?

22 Yes  No

23 If your answer to Question No. 2 is “Yes,” answer Question No. 3. If your  
24 answer is “No,” go to Question No. 6.

25 **Question No. 3:** Did Asian American Drug Abuse Program, Inc. fail to  
26 provide reasonable accommodation for Della Hill’s physical and/or mental  
27 disability?

28 Yes  No

1 If your answer to Question No. 3 is "Yes," answer Question No. 4. If your  
2 answer is "No," go to Question No. 6.

3 **Question No. 4:** Would Della Hill's proposed accommodations have created  
4 an undue hardship to the operations of Asian American Drug Abuse Program, Inc.'s  
5 business?

6 Yes \_\_\_\_\_ No

7 If your answer to Question No. 4 is "No," answer Question No. 5. If your  
8 answer is "Yes," go to Question No. 6.

9 **Question No. 5:** Was Asian American Drug Abuse Program, Inc.'s failure to  
10 provide reasonable accommodation a substantial factor in causing harm to Della  
11 Hill?

12 Yes  No \_\_\_\_\_

13 Go to Question No. 6.

14  
15 **Discrimination Cause of Action** (CACI 2508VF)

16 **Question No. 6:** Was Della Hill able to perform the essential job duties for  
17 her job and/or the job duties of any vacant position with a reasonable  
18 accommodation for her mental and/or physical disability?

19 Yes  No \_\_\_\_\_

20 If your answer to Question No. 6 is "Yes," answer Question No. 7. If your  
21 answer is "No," go to Question No. 10.

22 **Question No. 7:** Did Asian American Drug Abuse Program, Inc. discharge  
23 Della Hill?

24 Yes  No \_\_\_\_\_

25 If your answer to Question No. 7 is "Yes," answer Question No. 8. If your  
26 answer is "No," go to Question No. 10.

27 ///

28 ///

1        **Question No. 8:** Was Della Hill’s actual and/or perceived physical and/or  
2 mental disability a substantial motivating reason for Asian American Drug Abuse  
3 Program, Inc.’s decision to discharge Della Hill?

4        Yes         No

5        If your answer to Question No. 8 is “Yes,” answer Question 9. If your answer  
6 is “No,” go to Question 10.

7        **Question No. 9:** Was the discharge a substantial factor in causing harm to  
8 Della Hill?

9        Yes         No

10       Go to Question No. 10.

11  
12 **Violation of CFRA Rights** (CACI 2600VF)

13        **Question No. 10:** Was Della Hill eligible for medical leave under the  
14 California Family Rights Act?

15        Yes         No

16        If your answer to Question No. 10 is “Yes,” answer Question No. 11. If your  
17 answer is “No,” go to Question No. 15.

18        **Question No. 11:** Did Della Hill take leave and/or request leave for a serious  
19 health condition?

20        Yes         No

21        If your answer to Question No. 11 is “Yes,” answer Question No. 12. If your  
22 answer is “No,” go to Question No. 15.

23        **Question No. 12:** Did Della Hill provide reasonable notice to Asian American  
24 Drug Abuse Program, Inc. of her need for medical leave?

25        Yes         No

26        If your answer to Question No. 12 is “Yes,” answer Question No. 13. If your  
27 answer is “No,” go to Question No. 15.

28        ///

1           **Question No. 13:** Did Asian American Drug Abuse Program, Inc. refuse to  
2 return Della Hill to the same or a comparable job when her medical leave ended?

3           Yes            No

4           If your answer to Question No. 13 is “Yes,” answer Question No. 14. If your  
5 answer is “No,” go to Question No. 15.

6           **Question No. 14:** Was Asian American Drug Abuse Program, Inc.’s conduct  
7 a substantial factor in causing harm to Della Hill?

8           Yes            No

9           Go to Question No. 15.

10  
11           **Wrongful Termination of Employment in Violation of**  
12 **Public Policy Cause of Action** (CACI 2406VF)

13           **Question No. 15:** Was Della Hill’s physical and/or mental disability, need for  
14 medical leave, and/or need for a reasonable accommodation a substantial motivating  
15 reason for the decision by Asian American Drug Abuse Program, Inc. to discharge  
16 Della Hill?

17           Yes            No

18           If your answer to Question No. 15 is “Yes,” answer Question No. 16. If your  
19 answer is “No,” go to Question No. 17.

20           **Question No. 16:** Did the discharge cause Della Hill harm?

21           Yes            No

22           Go to Question No. 17.

23           ///

24           ///

25           ///

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28           ///



1 **Compensatory Damages Question**

2 **Question No. 17:** If you answered "Yes" to Question Nos. 1, 5, 9, 14, and/or  
3 16, please add up and state the total amount of damages to be awarded to Della Hill  
4 on all causes of action to which you answered "Yes" above and found liability. If  
5 you answered "No" to all of the above questions, do not answer the Punitive  
6 Damages Questions, and have the foreperson date and sign this Special Verdict form  
7 at the end of the last page. (*Note:* If you decide that Della Hill prevails on more  
8 than one of the above causes of action and if the damages she suffered on different  
9 causes of action are identical, count that damage only once. Do not award  
10 duplicative damages.)

11	Past economic loss:	\$ <u>149,227</u>
12	Future economic loss:	\$ <u>397,159</u>
13	Past non-economic loss:	\$ <u>836,499</u>
14	Future non-economic loss:	\$ <u>521,250</u>
15	<b>TOTAL:</b>	<b>\$ <u>1,904,135</u></b>

16 If you awarded damages, go to Question No. 18.

17  
18 **Punitive Damages Questions**

19 **Question No. 18:** Did an officer, director, or managing agent of Asian  
20 American Drug Abuse Program, Inc., acting on behalf of Asian American Drug  
21 Abuse Program, Inc., engage in the conduct with malice, oppression, or fraud?

22 Yes  No

23  
24 You have now completed this verdict form. Please have the foreperson date  
25 and sign below.

26 Dated: December 28, 2017 /s/ Elio Chavez Jr.  
27 Presiding Juror

1  
2 **SPECIAL VERDICT: PUNITIVE DAMAGES**

3  
4 We, the jury in the above action, find the following Special Verdict on the  
5 questions submitted to us:

6  
7 **Question No. 1:** We assess punitive damages against Asian American Drug  
8 Abuse Program, Inc. in the following amount:

9  
10 Answer: \$ 2,668,700

11  
12  
13 Signed:       /s/ Elio Chavez Jr.      

Dated: January 2, 2018

14 Presiding Juror

15  
16 It appearing by reason of said special verdicts that Della Hill is entitled to  
17 judgment against Asian American Drug Abuse Program, Inc., damages in the sum  
18 of \$4,572,835, together with costs and attorneys' fees to be determined by the Court,  
19 collectively with interest thereon at the rate of ten percent per annum, along with  
20 prejudgment interest to be determined by the Court.

21 IT IS SO ORDERED.

22  
23  
24 Dated: \_\_\_\_\_

\_\_\_\_\_   
The Honorable Stephanie Bowick  
Judge of the Superior Court

2 **PROOF OF SERVICE**

3 **STATE OF CALIFORNIA, COUNTY OF LOS ANGELES**

4 I am an employee in the County of Los Angeles, State of California. I am over the  
5 age of 18 and not a party to the within action; my business address is 225 Santa Monica  
Boulevard, Suite 700, Santa Monica, California 90401.

6 On January 3, 2018, I served the foregoing document, described as "**PLAINTIFF  
7 DELLA HILL'S NOTICE OF LODGING PROPOSED JUDGMENT,**" on all  
8 interested parties in this action by placing a true copy thereof in a sealed envelope,  
addressed as follows:

9 **Richard P. Tricker, Esq.**  
**WINGET, SPADAFORA &**  
**SCHWARTZBERG LLP**  
10 **1900 Avenue of the Stars, Suite 450**  
**Los Angeles, California 90067**  
11 **tricker.r@wsslpp.com**

12  **(BY MAIL)** As follows:

13  I placed such envelope, with postage thereon prepaid, in the United States mail at  
14 Santa Monica, California.


15  I am "readily familiar" with the firm's practice of collecting and processing corre-  
16 spondence for mailing. Under that practice, it would be deposited with the U.S.  
17 Postal Service on that same day, with postage thereon fully prepaid, at Santa  
Monica, California, in the ordinary course of business. I am aware that, on motion  
of the party served, service is presumed invalid if the postal cancellation or postage  
meter date is more than one day after the date of deposit for mailing in this affidavit.

18  **(BY PERSONAL SERVICE)** I caused such envelope to be delivered by hand to  
19 the attorney at the offices of the addressee.

20  **(BY E-MAIL)** I sent such document via e-mail to the e-mail address noted above.

21  **(STATE)** I declare, under penalty of perjury under the laws of the State of  
California, that the above is true and correct.

22 Executed on January 3, 2018, at Santa Monica, California.

23   
24 \_\_\_\_\_  
Raul Aguilar

25  
26  
27  
28