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Superior Court of California,  
County of Orange

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**FILED**  
SUPERIOR COURT OF CALIFORNIA  
COUNTY OF ORANGE  
CENTRAL JUSTICE CENTER

**MAY 12 2015**

ALAN CARLSON, Clerk of the Court

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6 Attorney for Defendants Joseph A. Miner  
7 and The JM Trust, Dated January 1, 2005

8 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**  
9 **FOR THE COUNTY OF ORANGE**  
10 **CENTRAL JUSTICE CENTER**

11 HUNTINGTON CONTINENTAL TOWN  
12 HOUSE ASSOCIATION, INC., a non-profit  
13 association,  
14  
15 Plaintiff,

16 v.

17 THE JM TRUST, DATED JANUARY 1,  
18 2005, JOSEPH A. MINER TRUSTEE,  
19 and DOES 1 through 100, inclusive,  
20  
21 Defendants.

) Case No. 30-2011-00466754

) APPELLATE DIVISION  
) CASE NO. 30-2013-00623099

) [REVISED PROPOSED] JUDGMENT ON  
) COMPLAINT

22 In accordance with the decisions of the Appellate Division (*Huntington*  
23 *Continental Town House Ass'n, Inc. v. Miner* (2014) 222 Cal. App. 4th Supp. 13) and the  
24 Court of Appeal (*Huntington Continental Townhouse Assn., Inc. v. Miner* (2014) 230  
25 Cal. App. 4th 590); and

26 WHEREAS, following issuance of the remittitur, defendants Joseph A. Miner and  
27 The JM Trust, Dated January 1, 2005, paid the amount of \$5,418.00 to plaintiff  
28 Huntington Continental Town House Association, Inc. to replace the amounts that the  
Court of Appeal and the Appellate Division found were wrongfully rejected by plaintiff  
in November and December of 2011 and to pay the monthly assessments due to plaintiff  
from then through September 20, 2012;

[REVISED PROPOSED] JUDGMENT ON COMPLAINT

1 WHEREAS the Court, complying with the Appellate Division's directions on  
2 remand of the First and Second Causes of Action "to determine damages consistent with  
3 this decision", has determined that these damages now are less than zero;

4 WHEREAS defendants, on January 13, 2015, filed and served on counsel for  
5 plaintiff a Memorandum of Costs on Appeal claiming \$2,133, and plaintiff did not move  
6 to tax these costs;  
7

8 WHEREAS defendants moved for an award of attorney's fees as the prevailing  
9 parties under Civil Code § 5975(c), and the Court, by Minute Order on March 10, 2015,  
10 granted the motion, declared defendants to be the prevailing parties, and awarded  
11 defendants \$60,000 in attorney's fees;  
12

13 IT IS HEREBY ORDERED, ADJUDGED, AND DECREED THAT plaintiff  
14 shall take nothing on any of the causes of action of its Complaint and that JUDGMENT is  
15 hereby entered in favor of defendants on all causes of action. IT IS FURTHER  
16 ORDERED, ADJUDGED AND DECREED THAT defendants are the prevailing parties  
17 and are awarded \$60,000 from plaintiff as reasonable attorney's fees plus \$2,133 in costs  
18 on appeal.  
19

20 IT IS SO ORDERED, ADJUDGED, AND DECREED.

21  
22 Dated: 5-12-15

  
\_\_\_\_\_  
JUDGE OF THE SUPERIOR COURT  
Judge Corey S. Cramin