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LOS ANGELES
SUPERIOR COURT

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES

LEE JACKSON, BARBARA JACKSON,
TOM MITCHELL, DORAN MITCHELL,
JOHN FECTEAU, and CAROL FECTEAU,

Plaintiffs,

vs.

COMPUTERXPRESS COM, INC , [also
known as Stop-N-Sock, Ltd.,
CostPlusFive.com, Inc., Aurora International,
Inc , and Aurora Precious Metals, Inc.],
WAYNE NICHOLS, MARVIN ZINMAN,
BEST BEST & KRIEGER, LLP, DOUGLAS
STEWART PHILLIPS, G. HENRY WELLES,
ROBERT T. YARBRAY, FRANKLIN
SCIVALLY, JAMES L. RATHER, and DOES
3-500, inclusive,

Defendants.

Case No BC 281 670

JUDGMENT AFTER COMPLETION
OF BIFURCATED TRIAL

The above-entitled matter came on for trial in a bifurcated proceeding, with the liability phase having commenced on January 13, 2006 and the punitive damage phase having commenced on April 26, 2007, all in Department 21 of the above-entitled Court, before the Honorable Robert H. O'Brien presiding without a jury, a jury having been waived; with Plaintiffs Lee Jackson, Barbara Jackson, Thomas Mitchell, individually and as the Personal Representative of the Estate of Doran Mitchell, John Fecteau and Carol Fecteau

1 having appeared by their attorney, Yvonne M. Renfrew of the Law Offices of Yvonne M.
2 Renfrew; with Defendant ComputerXpress.com, Inc also known as Stop-N-Sock, Ltd. also
3 known as CostPlusFive com, Inc. also known as Aurora International, Inc. also known as
4 Aurora Precious Metals, Inc also known as V-Net Beverage, Inc. and also known as Rush
5 Net, Inc not appearing for the liability phase, but appearing in parts of the punitive damage
6 phase by its attorneys Steven P. Scandura and Aileen Tang, both of the Law Offices of
7 Steven P. Scandura, P C.; with Defendant Wayne Nichols appearing *in propria persona*,
8 with Defendant Best Best & Krieger, LLP appearing for the liability phase by its attorney
9 Mark Lester of Lobb & Cliff, LLP, but not appearing during the punitive damage phase; with
10 Defendant Robert T. Yarbray appearing by his attorney Michael J Steponovich, Jr. of
11 Steponovich & Associates, A Professional Law Corporation, with Defendant Franklin
12 Scivally appearing *in propria persona* during parts of the liability phase, but not appearing
13 during the punitive damage phase; with Defendant James L. Rather not appearing for either
14 the liability phase or the punitive damage phase, and with proof having been made to the
15 satisfaction of the Court that due notice of trial had been given

16 Evidence, both oral and documentary, having been presented by the parties
17 appearing, the cause having been argued and submitted, with the court having prepared
18 its Statement of Decision for the liability phase and its Statement of Decision for the
19 punitive damage phase,

20 IT IS HEREBY ORDERED, ADJUDGED AND DECREED THAT

21 1. Plaintiffs shall recover nothing on their Complaint as against Defendant Best
22 Best & Krieger, LLP,

23 2. Defendant Best Best & Krieger, LLP shall recover its costs from Plaintiffs,
24 jointly and severally,

25 3. The Court adjudges Defendant Robert T Yarbray to be the other ego of the
26 entity sued as Defendant ComputerXpress.com, Inc. (also known from time to time as
27 Stop-N-Sock, Ltd , CostPlusFive.com, Inc , Aurora International, Inc., Aurora Precious
28 Metals, Inc., V-Net Beverage, Inc., and Rush Net, Inc.);

1 4. Plaintiffs shall recover from Defendants ComputerXpress com, Inc also
2 known as Stop-N-Sock, Ltd. also known as CostPlusFive com, Inc. also known as Aurora
3 International, Inc. also known as Aurora Precious Metals, Inc. also known as V-Net
4 Beverage, Inc. and also known as Rush Net, Inc , Wayne Nichols; Robert T Yarbray,
5 Franklin Scivally and James L. Rather, jointly and severally, the following general damages
6 for emotional distress

7 (a) Plaintiff Lee Jackson shall recover \$150,000.00,

8 (b) Plaintiff Barbara Jackson shall recover \$150,000.00;

9 (c) Plaintiff Thomas Mitchell, individually, shall recover \$150,000.00;

10 (d) Plaintiff John Fecteau shall recover \$150,000.00,

11 (e) Plaintiff Carol Fecteau shall recover \$100,000.00

12 5. Plaintiff Thomas Mitchell, as the Personal Representative of the Estate of
13 Doran Mitchell, shall recover nothing on the claims of emotional distress sought by Doran
14 Mitchell and/or by the Estate of Doran Mitchell

15 6 Plaintiffs shall recover from Defendants ComputerXpress.com, Inc also
16 known as Stop-N-Sock, Ltd. also known as CostPlusFive.com, Inc also known as Aurora
17 International, Inc. also known as Aurora Precious Metals, Inc also known as V-Net
18 Beverage, Inc. and also known as Rush Net, Inc.; Robert T. Yarbray; Franklin Scivally and
19 James L. Rather, jointly and severally, the following sums for punitive damages:

20 (a) Plaintiff Lee Jackson shall recover \$400,000.00;

21 (b) Plaintiff Barbara Jackson shall recover \$400,000.00;

22 (c) Plaintiff Thomas Mitchell, individually, shall recover \$400,000.00;

23 (d) Plaintiff Thomas Mitchell, as the Personal Representative of the
24 Estate of Doran Mitchell, shall recover \$400,000 00;

25 (e) Plaintiff John Fecteau shall recover \$400,000.00;

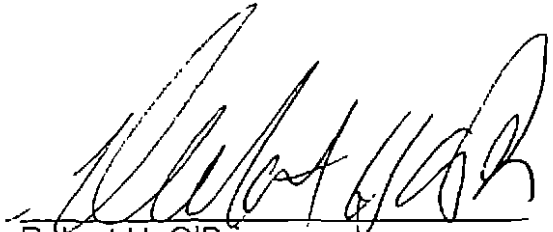
26 (f) Plaintiff Carol Fecteau shall recover \$400,000 00

27 7 Plaintiffs shall recover, jointly and severally, punitive damages in the sum of
28 \$10,000.00 from Defendant Wayne Nichols, pursuant to the stipulation of the Plaintiffs and

1 Defendant Wayne Nichols at the commencement of the punitive damage phase.

2 8 Plaintiffs shall recover from Defendants ComputerXpress com, Inc. also
3 known as Stop-N-sock, Ltd. also known as CostPlusFive com, Inc. also known as Aurora
4 International, Inc. also known as Aurora Precious Metals, Inc also known as V-Net
5 Beverage, Inc. and also known as Rush Net, Inc.; Wayne Nichols, Robert T Yarbray,
6 Franklin Scivally and James L. Rather, jointly and severally, their costs of suit incurred
7 herein

8
9 Dated: 10/9/07


Robert H. O'Brien
Judge of the Superior Court

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