

FILED
SUPERIOR COURT OF CALIFORNIA
COUNTY OF ORANGE
CENTRAL JUSTICE CENTER
MAY -3 2006

ALAN SLATER, Clerk of the Court
B. Slater
BKB/ZUANICH

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2 Mark H. Cheung, SBN 150690
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9 Attorneys for Defendants/Cross-Complainant Bradley J. Chrustawka,
10 Anjanette Chrustawka, and Katherine M. Matonic

11 SUPERIOR COURT OF THE STATE OF CALIFORNIA
12 COUNTY OF ORANGE - CENTRAL JUSTICE CENTER
13 UNLIMITED JURISDICTION

14 HERITAGE MARKETING AND
15 INSURANCE SERVICES, INC., a
16 California corporation;
17 HERITAGE MARKETING AND
18 INSURANCE SERVICES, a general
19 partnership; STANLEY NORMAN, an
20 individual; JEFFREY L. NORMAN,
21 an individual,

22 Plaintiffs,

23 vs.

24 BRADLEY J. CHRUSTAWKA, an
25 individual; ANJANETTE
26 CHRUSTAWKA (nee PRICE), an
27 individual; KATHERINE M.
28 MATONIC, an individual; CAROL
CARROLL, an individual; CHARLES
RITINOUR, an individual; and
DOES 1 through 10, inclusive,

Defendants.

AND RELATED CROSS-ACTION.

CASE NO. 04 CC 05195

[Assigned to
Judge Robert J. Moss, Dept. C18]

~~[PROPOSED]~~
**JUDGMENT RE: DEFENDANTS
ANJANETTE CHRUSTAWKA (nee PRICE)
AND KATHERINE M. MATONIC**

DATE: April 14, 2006
TIME: 10:00 a.m.
DEPT: C18

TO PLAINTIFFS/CROSS-DEFENDANTS AND TO THEIR COUNSEL OF RECORD:

PLEASE TAKE NOTICE that on March 24, 2006 and April 14, 2006,
respectively at 10:00 a.m., in Department C18 of this Court, located
at 700 Civic Center Drive West, Santa Ana, California, 92701, the

1 Motion for Summary Adjudication of Issues by defendants Bradley J.
2 Chrustawka, Anjanette Chrustawka (nee Price), and Katherine M. Matonic
3 came on regularly for a hearing before the Hon. Robert J. Moss, Judge
4 presiding.

5
6 **March 24, 2006 Hearing**

7 For the March 24, 2006 hearing: Mark H. Cheung and Alan Unterman
8 appeared on behalf of the moving parties, defendants Bradley J.
9 Chrustawka, Anjanette Chrustawka (nee Price), and Katherine M. Matonic
10 (Snyder). Robert L. Wishner and Nils Rosenquest appeared on behalf of
11 the responding parties, plaintiffs Heritage Marketing and Insurance
12 Services, Inc., Heritage Marketing and Insurance Services, Jeffrey
13 Norman and Stanley Norman.

14 The Court, after having issued a tentative ruling on the internet
15 on March 23, 2006, and after receiving argument of counsel, requested
16 supplemental briefing from the parties, and continued the hearing on
17 said motion to April 14, 2006.

18
19 **April 14, 2006 Hearing**

20 For the April 14, 2006 hearing, the Court received supplemental
21 briefing from the parties, and the Court issued its tentative ruling
22 on April 13, 2006. Based thereon, all parties submitted on said
23 tentative ruling without an appearance.

24 Thereafter, the Court filed an Order granting said motion for
25 summary adjudication with the effect of summarily adjudicating the
26 plaintiffs' causes of action in favor of defendants Anjanette
27 Chrustawka (nee Price) and Katherine M. Matonic as follows:

- 1 * Second cause of action for conspiracy to defraud,
2 * Third cause of action for defamation,
3 * Fourth cause of action for tortuous interference
4 with economic advantage,
5 * Fifth Cause of Action for slander, and
6 * Sixth cause of action for violation of the
7 California trade secrets act.

8
9 NOW, THEREFORE, IT IS HEREBY ADJUDGED, DECREED AND ORDERED that:

10 (1) Plaintiffs Heritage Marketing and Insurance Services, Inc.,
11 a California corporation; Heritage Marketing and Insurance Services,
12 a general partnership; Stanley Norman, an individual, and Jeffrey L.
13 Norman, an individual, shall recover nothing on their Complaint against
14 defendants Anjanette Chrustawka (nee Price) and Katherine M. Matonic.

15 (2) Defendants Anjanette Chrustawka (nee Price) and Katherine M.
16 Matonic shall have and recover from plaintiffs Heritage Marketing and
17 Insurance Services, Inc., a California corporation; Heritage Marketing
18 and Insurance Services, a general partnership; Stanley Norman, an
19 individual, and Jeffrey L. Norman, an individual, their costs and
20 attorney's fees in the amount of ~~\$(subject to motion)~~^{RJM} pursuant to a
21 Memorandum of Costs and/or motion that defendants may hereinafter file.

22
23 IT IS SO ORDERED.

24
25 Dated: 5/3/06

26 RS ROBERT J. MOSS
27 Hon. Robert J. Moss
28 Judge of the Superior Court

1 PROOF SERVICE

2 STATE OF CALIFORNIA, COUNTY OF ORANGE

3 I am employed in the County of Orange, State of California. I am over the age
4 of 18 and not a party to the within action; my business address is 18103 SKYPARK
SOUTH # B, Irvine, CA 92614.

5 On April 27, 2006, I served the foregoing document(s) described as:

6 **[PROPOSED] JUDGMENT RE: DEFENDANTS ANJANETTE CHRUSTAWKA**
7 **AND KATHERINE M. MATONIC**

8 on all interested parties in this action

9 [X] by placing [] the original [X] a true copy thereof enclosed in sealed
envelopes addressed as follows:

10 Gregory J. Shebest, Esq.
11 PACIFIC LAW OFFICES
12 340 Commerce Street, Suite 200
Irvine, California 92602

Nils Rosenquest, Esq
Robert Wishner, Esq
18008 Sky Park Circle, Suite 203
Irvine, CA 92614

13 Attorneys for Plaintiffs/Cross-defendants

14 [X] By Fax: 949-955-3918 (Mr. Wishner) and 800-926-6816 (Mr. Shebest)

15 [X] BY MAIL

[] *I deposited such envelope in the mail at Irvine, California.

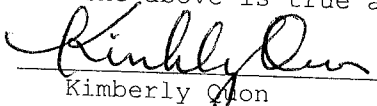
16 The envelope was mailed with postage thereon fully prepaid.

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

20 Executed on April 27, 2006, at Irvine, California.

21 [] [BY PERSONAL SERVICE] I delivered such envelope by hand to the offices of the
addressee. (C.C.P. 1011)

22 [X] (State) I declare under penalty of perjury under the laws of the State of
23 California that the above is true and correct.

24 
25 Kimberly Olson