

1 **LAW OFFICES OF MARYANN P. GALLAGHER**  
 2 MARYANN P. GALLAGHER, SBN 146078  
 3 The LA Times Building  
 4 202 West 1<sup>st</sup> Street, Suite TS100  
 5 Los Angeles, California 90012  
 6 Phone: (213) 626-1810  
 7 Fax: (213) 626-0961  
 8 E-mail: [mail@mpg-law.com](mailto:mail@mpg-law.com)

**FILED**  
 Superior Court of California  
 County of Los Angeles

*[Signature]* **MAY 10 2017**  
 Sherri R. Carter, Executive Officer/Clerk  
 By *[Signature]* Deputy  
 Daniel Haro

**RECEIVED**  
**APR 19 2017**  
**DEPT. 45**

Attorneys for Plaintiff  
 BLANCA TORRES

**REC'D**  
**APR 17 2017**  
**FILING WINDOW**

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

11 BLANCA TORRES,  
 12  
 13 Plaintiff,  
 14 v.  
 15 B.E. AEROSPACE, INC  
 16 Defendant.

Case No.: BC513171  
 Assigned to Hon. Mel Red Recana, Dept. 45

**[PROPOSED] SECOND AMENDED  
 JUDGMENT ON SPECIAL VERDICTS**

Trial Date: May 12, 2016

**ORIGINAL**

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

A trial on this action commenced on May 12, 2016, and concluded on June 2, 2016 in Department 45 of the Los Angeles Superior Court, the Honorable Mel Red Recana, Judge Presiding:

The plaintiff was represented by Maryann Gallagher, of the Law Offices of Maryann Gallagher, Los Angeles. The Defendant was represented by Edward P. Zappia and Herbert-John Hayden of The Zappia Law Firm, Los Angeles.

A jury of twelve (12) persons was regularly impaneled and sworn to try the action. Witnesses were sworn and testified. The evidence and argument of counsel was presented. The jury was duly instructed by the court and the case was submitted to the jury with directions to return special verdicts. The jury deliberated and thereafter returned to court with its special verdicts as follows: [See Attached Special Verdicts]

RECEIVED

MAY 26 2016  
DEPT. 45

**FILED**  
Superior Court of California  
County of Los Angeles

MAY 31 2016

Sherril R. Carter, Executive Officer/Clerk  
By [Signature] Deputy  
Daniel Haro

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

Case No.: BC513171

BLANCA TORRES,

Plaintiff,

v.

B.E. AEROSPACE, INC.,

Defendants.

**SPECIAL VERDICT**

05/12/2017

06/08/2016

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

1 SPECIAL VERDICT

2  
3 We, the jury, answer the questions submitted to us as follows:  
4

5 I. Age Discrimination:  
6

7 Question No. 1: Did B.E. Aerospace, Inc. terminate Blanca Torres?  
8

9  Yes  No

10  
11 If your answer to Question No. 1 is "YES", then answer Question No. 2.  
12 If you answered Question No.1 "NO", then answer Question No. 4.

13 Question No. 2: Was Blanca Torres's age a substantial motivating reason  
14 for B.E. Aerospace, Inc.'s termination of Blanca Torres?  
15

16  Yes  No  
17

18 If your answer to Question 2 is "YES", then answer Question No. 3. If  
19 your answer to Question No. 2 is "NO" then answer Question No. 4.  
20

21 Question No. 3: Was B.E. Aerospace Inc.'s termination of Blanca Torres a  
22 substantial factor in causing harm to Blanca Torres?  
23

24  Yes  No

25  
26 Answer the next question.  
27  
28

05/12/2017

06/08/2016

1  
2 **II. Gender Discrimination:**

3  
4 **Question No. 4: Did B.E. Aerospace, Inc. terminate Blanca Torres?**

5  Yes  No

6  
7  
8 If your answer to Question No. 4 is "YES", then answer Question No. 5.  
9 If your answer to Question No. 4 is "NO", then answer Question No. 7.

10 **Question No. 5: Was Blanca Torres's gender a substantial motivating reason for**  
11 **B.E. Aerospace, Inc.'s termination?**

12  
13  Yes  No

14  
15 If your answer to Question 5 is "YES", then answer Question No. 6. If  
16 you answered Question No. 5 "NO" then answer Question No. 7.

17  
18 **Question No. 6: Was B.E. Aerospace Inc.'s termination of Blanca Torres a**  
19 **substantial factor in causing harm to Blanca Torres?**

20  Yes  No

21  
22 Answer the next Question

1 **III. Wrongful Termination in Violation of Public Policy**

2  
3 **Question No. 7: Was B.E. Aerospace, Inc.'s decision to terminate Blanca Torres**  
4 **based on her age?**

5  **Yes**       **No**

6  
7 **If your answer to Question 7 is "YES", then answer Question No. 8. If you**  
8 **answered Question No. 7 "NO" then answer Question No. 10.**

9  
10  
11 **Question No. 8: Was B.E. Aerospace, Inc.'s decision to terminate Blanca Torres**  
12 **based on her gender?**

13  **Yes**       **No**

14  
15  
16 **If you answered "YES" to question No. 8, answer question No. 9. If you**  
17 **answered "No" to question No. 8 answer question No. 10.**

18  
19  
20 **Question No. 9: Did the termination cause Blanca Torres harm?**

21  **Yes**       **No**

22  
23 **Answer the next question.**

24  
25  
26  
27  
28  
05/19/2017  
08/08/2018

1 **IV. DAMAGES**

2  
3 Complete this section if you found for plaintiff on *any* of the claims above.

4 Skip this section if you found for defendant on all of the claims above.

5  
6 **Question No. 10: What are Blanca Torres's damages?**

7 A. Past Economic Loss (i.e. lost earnings and benefits)

8  
9 \$ 75,000

10  
11 B. Past non-economic loss [emotional distress, anxiety, humiliation] for the  
12 Discrimination before the termination.

13 \$ 125,000

14 C. Past Non-economic loss [emotional distress, anxiety, humiliation] resulting  
15 from Termination.

16 \$ 806,000

17 D. Future non-economic loss [emotional distress, anxiety, humiliation]  
18 resulting from the Termination.

19 \$ 510,000

20 Answer the Next Question.

21  
22 **Question 11: Did the Plaintiff make a reasonable effort to minimize her Past Economic Loss (i.e.  
23 lost earnings and benefits)?**

24            No

25   ✓   Yes

26  
27 If you answered "NO", proceed to Question No. 12. If you answered "YES",  
28 proceed to Question No.13.

06/08/2016  
91078090

05/12/2017

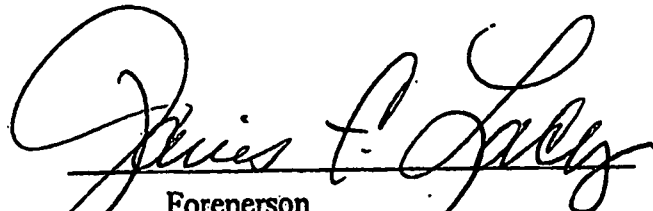
1 Question No. 12: If the answer to question 11 is "No" what amount, if any, do you offset  
2 against Plaintiff's award for failure to make reasonably diligent efforts to minimize her Past  
3 Economic Loss (i.e. lost earnings and benefits)

4 \$ \_\_\_\_\_

5 Question No. 13: Do you find by clear and convincing evidence that B.E. Aerospace Inc. acted  
6 with malice, fraud or oppression in engaging in the conduct upon which you base your finding of  
7 liability?

8  Yes  No

9  
10  
11 Dated: 5/31/16

12   
13 \_\_\_\_\_  
14 Foreperson  
15 Janis F. LACY

16 After the verdict form has been signed, please notify the clerk or court attendant that you  
17 are ready to present your verdict in the courtroom.  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

05/12/2017

06/08/2016



**FILED**

Superior Court of California  
County of Los Angeles

*J* JUN - 2 2016

Sherri R. Carter, Executive Officer/Clerk

By *D. Haro* Deputy  
Daniel Haro

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

BLANCA TORRES,

Plaintiff,

v.

B.E. AEROSPACE, INC.,

Defendants.

Case No.: BC513171

**SPECIAL VERDICT. Part 2**

05/12/2017

06/08/2016

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

1 SPECIAL VERDICT

2  
3 We, the jury answer the questions submitted to us as follows:

- 4  
5 1. What amount of punitive damages, if any, do you find that B.E. Aerospace  
6 should pay?

7 \$ 7,000,000.00

8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18 Dated: June 2, 2016

19  
20 Janis F. Lacy  
21 Foreperson  
22 JANIS F. LACY

23  
24 After the verdict form has been signed, please notify the clerk or court attendant that you  
25 are ready to present your verdict in the courtroom.

26  
27  
28  
06/08/2016

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

WHEREFORE THE COURT on August 25,2016 pursuant to CCP §662.5 ordered a remittitur of the punitive damages from \$7,000,000.00 to \$1,000,000.00 .

WHEREFORE, IT IS ORDERED, ADJUDGED AND DECREED that plaintiff BLANCA TORRES, have and recover from Defendant B.E. Aerospace Inc. \$2,516,000.00 [Two million Five Hundred and Sixteen Thousand Dollars] plus attorneys fees and costs pursuant to motion, amounting to the sum of \$800,903..00 for a total judgment of \$3,316,903.00. with interest thereon at the rate of ten percent per annum.

Dated: April 5/10, 2017



Hon. Mel Red Recana

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**PROOF OF SERVICE (2015.5 C.C.P.)**

STATE OF CALIFORNIA            )  
  ) ss.  
COUNTY OF LOS ANGELES        )

I am employed in the County of Los Angeles, State of California. I am over the age of 18 and not a party to the within action; my business address is: 202 West 1st Street, Suite TS100, Los Angeles, California 90017.

On **April 17, 2017**, I served on the parties of record in this action the foregoing document described as **[PROPOSED] SECOND AMENDED JUDGMENT ON SPECIAL VERDICT** addressed as follows:


**SEE ATTACHED SERVICE LIST.**

- BY MAIL** (C.C.P. §1013(a) - I caused the aforementioned document(s) to be served upon the addressee as indicated on the attached **service list**. I am readily familiar with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with U.S. postal service on that same day with postage thereon fully prepaid at Los Angeles, California in the ordinary course of business. I am aware that on motion of 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.
- BY FACSIMILE** (C.C.P. §1013(e); C.R.C. 2.306) - I caused the facsimile transmission to the facsimile number(s) indicated on the attached service list. Upon completion of the said facsimile transmission, the facsimile machine issued a report showing the transmission was complete and without error.
- ELECTRONIC SERVICE** (C.C.P. 1010.6(a)) - I caused the aforementioned document(s) to be electronically served upon the addressee as indicated on the attached service list.
- BY PERSONAL SERVICE** (C.C.P. §1011) - I caused the aforementioned document(s) to be personally served upon the addressee as indicated on the attached service list.
- BY OVERNIGHT DELIVERY** (C.C.P. §1013(c) - I enclosed the documents in an envelope or package provided by an overnight delivery carrier and addressed to the persons on the attached service list. I placed the envelope or package for collection and overnight delivery at an office or a regularly utilized drop box of the overnight delivery carrier.

Executed on **April 17, 2017**, at Los Angeles, California.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

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

  
\_\_\_\_\_  
Mauricio Aviles

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**LAW OFFICES OF MARYANN P. GALLAGHER**

The LA Times Building  
202 West 1<sup>st</sup> Street, Suite TS100  
Los Angeles, California 90012  
Phone: (213) 626-1810  
Fax: (213) 626-0961  
E-mail: [mail@mpg-law.com](mailto:mail@mpg-law.com)

*Torres v. B.E. Aerospace, Inc., et al.*  
*BC513171*

**SERVICE LIST**

<p>Edward P. Zappia Herbert-John Hayden THE ZAPPIA LAW FIRM 7777 Center Avenue, Suite 625 Huntington Beach, CA 92647-3063</p>	<p><i>Counsel for Defendants</i>  Tel: 213-814-5550 Fax: 213-814-5560 E-Mail: <a href="mailto:ezappia@zappialegal.com">ezappia@zappialegal.com</a> <a href="mailto:hhayden@zappialegal.com">hhayden@zappialegal.com</a></p>
<p>Theodore J. Boutrous, Jr. Perlette Michele Jura Gibson, Dunn &amp; Crutcher, LLP 333 S. Grand Ave. Los Angeles, CA 90071</p>	<p><i>Counsel for Defendants</i>  Tel: 213-229-7000 Fax: 213-229-7520 E-Mail: <a href="mailto:tboutrous@gibsondunn.com">tboutrous@gibsondunn.com</a> <a href="mailto:pjura@gibsondunn.com">pjura@gibsondunn.com</a></p>