SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES

Civil Division

West District, Santa Monica Courthouse, Department K

19STCV25769 December 5, 2025
DEANN FATTORINI, et al. vs SHAWNE MERRIMAN, et al. 9:30 AM

Judge: Honorable Lawrence Cho
Judicial Assistant: Michael Lee
Courtroom Assistant: None

CSR: Sheri S. Kleeger CSR# 10340 (LACC)
ERM: None
Deputy Sheriff: None

APPEARANCES:

For Plaintiff(s): Torsten Bassell

For Defendant(s): Scott Lee Macdonald By Edye Hill (LACC); Dean A. Olson (LACC); Laurie Noreen Stayton (LACC) -- See additional appearances below.

NATURE OF PROCEEDINGS: Hearing - Other Re: Objections to the Court's Proposed Judgment

Pursuant to Government Code sections 68086, 70044, California Rules of Court, rule 2.956, and the stipulation of appearing parties, Sheri S. Kleeger CSR# 10340, certified shorthand reporter is appointed as an official Court reporter pro tempore in these proceedings, and is ordered to comply with the terms of the Court Reporter Agreement. The Order is signed and filed this date.

The matter is called for hearing.

After hearing the arguments, the Court rules as follows:

1. Judgment for Plaintiffs against Defendants Monica Mass, J.P. Castro, and Shawne Merriman jointly and severally in the amount of $4,000,000.00.

2. Of the $4,000,00.00 verdict, $3,960,000.00 Million is awarded to Plaintiffs against Defendants Elias Wehbe. In other words, Defendant Elias Wehbe will only be liable to Plaintiffs up to $3,960,000.00, which he will owe jointly and severally with Defendants Shawne Merriman, J.P. Castro, and Monica Maas. This is because Defendant Elias Wehbe was found liable for conspiracy to commit negligence, which is a theory of vicarious liability and therefore the Prop. 51 allocation of fault for non-economic damages does not apply. Kesmodel v. Rand (2004) 119 Cal.App.4th 1128, 1142-1145. Judgment against Elias Wehbe shall be in the amount of $ 3,960,000.00 after application of 1% of comparative negligence found against decedent Kimberly Fattorini.

3. Judgment shall be rendered for Sunset Wilcox, LLC dba The Warwick erroneously sued as Warwick LA against P; and also judgment for Tao Group Holdings, LLC, and The Highlight Room, TG Hospitality Group, LLC (collectively The Tao Group) against Plaintiffs.

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Plaintiffs to notice and prepare new Judgment form in accordance with today's ruling.

Court will return the Wehbe book "Mask" to Wehbe's counsel.
Plaintiffs to notice.

Additional appearance for Defendant(s):
Matthew Clarke Wolf (LACC)