

SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES

Civil Division

Central District, Stanley Mosk Courthouse, Department 24

BC338322

LEONARD NORMAN COHEN ET AL VS KELLEY A

LYNCH ET AL

March 26, 2019

8:30 AM

Judge: Honorable Patricia D. Nieto

Judicial Assistant: M. Tran

Courtroom Assistant: M. Quinteros

CSR: None

ERM: None

Deputy Sheriff: None

APPEARANCES:

For Plaintiff(s): Michelle Lorraine Rice

For Defendant(s): No Appearances

NATURE OF PROCEEDINGS: Hearing on Ex Parte Application FOR ORDER SUBSTITUTING ROBERT B. KORY AS TRUSTEE OF THE LEONARD COHEN ' FAMILY TRUST IN PLACE OF LEONARD NORMAN COHEN AND LEONARD COHEN INVESTMENTS, LLC

The case is called for hearing.

After hearing oral argument, the Court makes the following rulings:

The Ex Parte Application FOR ORDER SUBSTITUTING ROBERT B. KORY AS TRUSTEE OF THE LEONARD COHEN ' FAMILY TRUST IN PLACE OF LEONARD NORMAN COHEN AND LEONARD COHEN INVESTMENTS, LLC filed by Leonard Norman Cohen on is Granted.

Robert B. Kory, Trustee of the Leonard Cohen Family Trust, may substitute as Plaintiff in this action in the place of Leonard Norman Cohen and Leonard Cohen Investments, LLC.

Order is signed and filed this date.

The court's order on the ruling after remand made on 2/6/19 is set aside and vacated.

Court reissues the order after remand.

Defendant's Motion to Set Aside the July 13, 2015 Renewal Judgment was heard on noticed hearing on October 6, 2015. Upon consideration of all supporting documents and arguments of the parties, the Court DENIED with prejudice Defendant's Motion to Set Aside the Renewal of Judgment.

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Upon appeal from the above order, the Court of Appeal, Second Appellate District, reversed the order denying Defendant and Appellant Kelly Ann Lynch's motion to set aside the renewal judgment.

Consistent with instructions on remand, the Court vacates its previous order of October 6, 2015 denying the motion and grants Defendant's motion to set aside the renewal of judgment in part.

The judgment is modified to reflect \$5,000,000.00 in damages with the corrected prejudgment interest amount of \$6,757,534.25 for a total amount of \$11,757,534.25. The amount is calculated as follows:

Type of interest: Simple interest

Judgment Term (in Days) 4933 (from August 5, 2005 to February 6, 2019)

Rate of interest: 10.00%

Amount of judgment: \$5,000,000.00

Judgment for Plaintiff in the Amount of: \$5,000,000.00

Plus interest of: \$6,757,534.25

Attorney's Fees: \$0

Costs: \$0

TOTAL AMOUNT OF JUDGMENT: \$11, 757,534.25

Moving party is to submit a proposed order and judgment reflecting court's order including the new substituted Plaintiff.

Order to Show Cause Re: Entry of Judgment is scheduled for 05/29/19 at 08:30 AM in Department 24 at Stanley Mosk Courthouse.

Moving party is ordered to give notice.