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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

Manuel Fausto, et al.,
Plaintiffs,
v.
Credigy Services Corp., et al.,
Defendants.

NO. C 07-05658 JW
JUDGMENT

This case was tried to a jury, District Judge James Ware presiding. Attorneys David Humphreys, Luke Wallace, Balam Letona, and Ronald Wilcox represented Plaintiffs Manuel Fausto and Luz Fausto. Attorneys Tomio Narita, Jeffrey Lucas, Jeffrey Topor, and John Gillespie represented Defendants Credigy Services Corporation, Credigy Receivables, Inc., Credigy Solutions, Inc. (collectively, "Credigy Defendants"), Luis Renato Silva Nunes, Brett Boyde, and Paulo Peres.

The case was submitted to the Jury for decision on three claims and one counterclaim, as follows:

The First Claim was by Plaintiffs against Defendants Credigy Services Corporation, Credigy Receivables, Inc., and Credigy Solutions, Inc., Brett Boyde, Luis Renato Silva Nunes, and Paulo Peres under 15 U.S.C. §§ 1692, *et seq.*, and California Civil Code §§ 1788, *et seq.*, for violation of the federal and California Fair Debt Collection Practices Acts, respectively;

The Second Claim was by Plaintiffs against Credigy Services Corporation, Credigy Receivables, Inc., and Credigy Solutions, Inc., for violation of the right to privacy;

1 The Third Claim was by Plaintiffs against Credigy Services Corporation, Credigy
2 Receivables, Inc., and Credigy Solutions, Inc., for negligent infliction of emotional distress.

3 The Counterclaim was by Credigy Services Corporation against Plaintiff Luz Fausto for
4 using an electronic recording device to record a confidential communication without consent.

5 The verdict form required the Jury to state its finding with respect to each claim and the
6 counterclaim by answering written interrogatories. On April 3, 2009, the Jury returned a unanimous
7 verdict on each interrogatory submitted to it. Pursuant to the Jury verdict, judgment is entered as
8 follows:

9 On Plaintiffs' First and Third Claims:

- 10 (1) Judgment is entered in favor of Plaintiffs Manuel and Luz Fausto against
11 Defendant Credigy Services Corporation in the amount of \$501,000. This
12 amount represents, \$100,000 of compensatory damages, \$400,000 of punitive
13 damages, and \$1,000 of statutory damages for both Plaintiffs.
- 14 (2) Judgment is entered in favor of Defendants Credigy Solutions, Inc. and
15 Credigy Receivables, Inc. Plaintiffs Manuel and Luz Fausto shall take
16 nothing from these Defendants.
- 17 (3) On Plaintiffs' First Claim, judgment is entered in favor of Defendants Brett
18 Boyde, Luis Renato Silva Nunes, and Paulo Peres. Plaintiffs Manuel and Luz
19 Fausto shall take nothing from these Defendants.

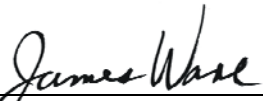
20 On Plaintiffs' Second Claim, judgment is entered in favor of Defendants Credigy Services
21 Corporation, Credigy Receivables, Inc., and Credigy Solutions, Inc. Plaintiffs Manuel and Luz
22 Fausto shall take nothing from these Defendants on the Second Claim.

23 On Defendants' Counterclaim, judgment is entered in favor of Plaintiff Luz Fausto and
24 against Defendant Credigy Services Corporation. Defendant Credigy Services Corporation shall
25 take nothing from Plaintiffs on its Counterclaim.

1 Plaintiffs are awarded attorney fees and costs against Defendant Credigy Services
2 Corporation. All other parties shall bear their own costs and fees.

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Dated: May 5, 2009



JAMES WARE
United States District Judge

1 **THIS IS TO CERTIFY THAT COPIES OF THIS ORDER HAVE BEEN DELIVERED TO:**

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15 **Dated: May 5, 2009**

Richard W. Wieking, Clerk

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By: /s/ JW Chambers
Elizabeth Garcia
Courtroom Deputy