

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON
IN AND FOR THE COUNTY OF KING

DAVID COOPER and JERRY SCOTT,
individually and on behalf of all those
similarly situated,

Plaintiffs,

v.

ALSCO, INC., a foreign corporation,

Defendant.

No. 12-2-31451-9 SEA

STIPULATED AMENDED
JUDGMENT

[CLERK'S ACTION REQUIRED]

JUDGMENT SUMMARY

1. Judgment creditors: DAVID COOPER, JERRY SCOTT, and members of the certified class;
2. Judgment debtor: ALSCO, INC.
3. Total judgment, comprised of the amounts set forth in paragraphs 4, 5, and 6 below: \$1,571,142.57
4. Total aggregate back pay damages for plaintiffs and members of the class through January 15, 2015: \$1,011,046.20
5. Total aggregate prejudgment interest for plaintiffs and members of the class through May 15, 2015: \$360,259.12
6. Total attorneys' fees and costs for plaintiffs and members of the class: \$199,837.25

ORIGINAL

1 7. Amounts in paragraphs 4 and 6 above shall bear interest at 12% per annum from
2 May 15, 2015 until the judgment is satisfied.

3 8. Attorneys for Judgment Creditors: Adam Berger
4 Martin S. Garfinkel
5 Schroeter Goldmark & Bender
6 810 Third Avenue, #500
7 Seattle, WA 98104

8 Geoffrey D. Swindler
9 Law Office Geoffrey D. Swindler, P.S.
10 103 E. Indiana Avenue, Suite A
11 Spokane, WA 99207

12 Plaintiffs David Cooper and Jerry Scott, and the class they represent, were
13 represented in this case by Adam Berger and Martin Garfinkel of Schroeter Goldmark &
14 Bender and Geoffrey D. Swindler of the Law Office Geoffrey D. Swindler, P.S. Defendant
15 was represented by Katie Rosen, Portia Moore, and Taylor Ball of Davis Wright Tremaine.

16 On February 5, 2013, the Court issued an Order Granting Plaintiffs' Motion for Class
17 Certification. On May 19, 2014, the Court issued an Order on the parties' cross-motions for
18 summary judgment on liability in the case. The Court granted summary judgment to
19 Plaintiffs on Plaintiffs' claim under the Minimum Wage Act, RCW Ch. 49.46 and granted
20 summary judgment to Defendant on Plaintiffs' claim for exemplary damages under RCW
21 Ch. 49.52. On March 11, 2015, the Court entered an Amended Order Denying Defendant's
22 Motion for Partial Summary Judgment and Granting Plaintiffs' Renewed Motion for Partial
23 Summary Judgment on Damages Methodology, which amended its earlier Order of February
24 9, 2015 on the same issues. Consistent with the methodology set forth in the March 11, 2015
25 Order, the parties stipulated to the back pay damage, prejudgment interest, and attorneys'
26 fees and cost amounts set forth above. On May 13, 2015, the Court entered Judgment based
on the parties' stipulation. On June 5, 2015, the parties agreed to amend the Judgment

1 because due to coding errors, damages for three class members were omitted from the
2 original judgment, while damages for two employees who timely opted out of the class were
3 included.

4 Defendant's stipulation to these amounts does not waive its rights of appeal with
5 respect to the May 19, 2014 Summary Judgment Order on liability or the March 11, 2015
6 Order on damages methodology, the May 13, 2015 Judgment, or any other orders or
7 decisions in the case.
8

9 Consistent with its earlier rulings and the stipulation of the parties as to the judgment
10 amounts, the Court enters final judgment in this matter in an amended amount as follows:

11 1. The total judgment in favor of Plaintiffs and the class members and against
12 Defendant is the amount of \$1,571,142.57. This judgment is comprised of the amounts set
13 forth in paragraphs 2, 3, and 4 below.
14

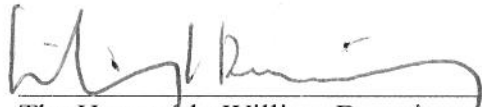
15 2. Plaintiffs and the class members are awarded back pay damages against
16 Defendant in the aggregate amount of \$1,011,046.20, with the gross allocation to each class
17 member as set forth in the attached Exhibit A.

18 3. Plaintiffs and the class members are awarded prejudgment interest against
19 Defendant in the aggregate amount of \$360,259.12, with the gross allocation to each class
20 member as set forth in the attached Exhibit A.
21

22 4. Plaintiffs and the class members are awarded attorneys' fees and costs against
23 the Defendant in the amount of \$199,837.25. This award does not preclude Class Counsel
24 from petitioning the Court for an allocation of a percentage of the total judgment as an
25 attorneys' fees and cost award.
26

1 5. Plaintiffs and the class members will receive 12% interest on the amounts set
2 forth in paragraphs 2 and 4 of this judgment from May 15, 2015 until said judgment is
3 satisfied.

4 DATED this 5 day of June, 2015.

6
7 
8 The Honorable William Downing
9 Judge, King County Superior Court

9 PRESENTED BY:

10 /s Adam J. Berger

11 Adam J. Berger, WSBA #20714

12 Martin S. Garfinkel, WSBA #20787

13 LAW OFFICE OF

14 GEOFFREY D. SWINDLER, P.S.

15 Geoffrey D. Swindler, WSBA #20176

16 *Attorneys for Plaintiffs*

17 APPROVED AS TO FORM AND FOR ENTRY;
18 NOTICE OF PRESENTATION WAIVED:

19 DAVIS WRIGHT TREMAINE, LLC

20 /s Taylor S. Ball

21 Taylor S. Ball, WSBA #46927

22 Kathryn S. Rosen, WSBA #29465

23 Portia R. Moore, WSBA #13354

24 *Attorneys for Defendant*

EXHIBIT A

NAME	Total Backpay	Total PJI	Total Damages
BAIER, WILLIAM Total	\$ 11,434.56	\$ 2,599.32	\$ 14,033.88
BALMES, DAVID Total	\$ 48,804.12	\$ 19,637.12	\$ 68,441.24
BEAN, GREG K Total	\$ 28,169.00	\$ 9,903.83	\$ 38,072.83
BIELENBERG, GARY A Total	\$ 65,326.63	\$ 19,919.75	\$ 85,246.38
BOURG Jr., JOE C Total	\$ 41,151.23	\$ 16,406.89	\$ 57,558.12
COOPER, DAVID Total	\$ 40,789.12	\$ 17,019.18	\$ 57,808.30
EHMER, ERIC V Total	\$ 6,926.12	\$ 1,147.28	\$ 8,073.40
FAIRBANKS, JAMES Total	\$ 70,072.88	\$ 24,864.22	\$ 94,937.10
GIFFORD, DAVID Total	\$ 15,758.58	\$ 7,856.81	\$ 23,615.39
HAIGHT, JASON M Total	\$ 848.50	\$ 411.35	\$ 1,259.85
HAMILTON, CRAIG Total	\$ 24,678.95	\$ 12,789.54	\$ 37,468.49
HOLLAND, ROBERT T Total	\$ 14,195.95	\$ 3,570.28	\$ 17,766.23
KRAUSS, MARK J Total	\$ 12,012.19	\$ 6,674.17	\$ 18,686.36
LAMBERT, ERIC W Total	\$ 30,900.46	\$ 16,293.83	\$ 47,194.29
LLOYD, CHRIS L Total	\$ 23,696.62	\$ 11,574.55	\$ 35,271.17
MCDANIEL, RODGER Total	\$ 51,076.60	\$ 19,713.81	\$ 70,790.41
MENCHACA, RICK Total	\$ 4,457.91	\$ 1,312.95	\$ 5,770.86
MULLENIX, DAVID K Total	\$ 33,761.14	\$ 10,144.42	\$ 43,905.56
NACCARATO, DARRELL Total	\$ 28,959.53	\$ 9,481.04	\$ 38,440.57
NOVAK, TRISTON J Total	\$ 7,289.81	\$ 3,069.19	\$ 10,359.00
RIFENBERY, GARY L Total	\$ 6,898.83	\$ 3,450.02	\$ 10,348.85
RIGGIN, PERRY S Total	\$ 15,029.59	\$ 1,886.89	\$ 16,916.48
SCOTT, JERRY Total	\$ 170,777.90	\$ 56,831.62	\$ 227,609.52
SEWELL, NATHAN T Total	\$ 11,111.82	\$ 2,068.53	\$ 13,180.35
SNYDER, ARTHUR D Total	\$ 70,125.84	\$ 20,968.91	\$ 91,094.75
THOMPSON, STEVE Total	\$ 51,046.34	\$ 16,112.69	\$ 67,159.03
WHITE, RICKY Total	\$ 20,266.99	\$ 11,678.06	\$ 31,945.05
WILLIS, JOHN C Total	\$ 103,702.84	\$ 31,829.49	\$ 135,532.33
ZICKLER, PATRICK K Total	\$ 1,776.15	\$ 1,043.40	\$ 2,819.55
GRAND TOTAL	\$ 1,011,046.20	\$ 360,259.12	\$ 1,371,305.32