

48

COMMONWEALTH OF MASSACHUSETTS

MIDDLESEX, ss.

SUPERIOR COURT

MATTHEW SUTTON, on behalf of himself  
and all others similarly situated,

Plaintiff,

v.

JORDAN'S FURNITURE, INC.,

Defendant.

Civil Action No. 19-01763

**SECOND AMENDED JUDGMENT**

Pursuant to Mass. R. Civ. P. 58(a), and in accordance with the Court's September 22, 2021, Memorandum of Decision and Order on Defendant's Motion for Summary Judgment and Plaintiff's Partial Motion for Summary Judgment and the Court's May 10, 2022, Order on Plaintiff's Motion to Amend Judgment and Petition for Fees and Costs, final judgment is hereby entered as follows:

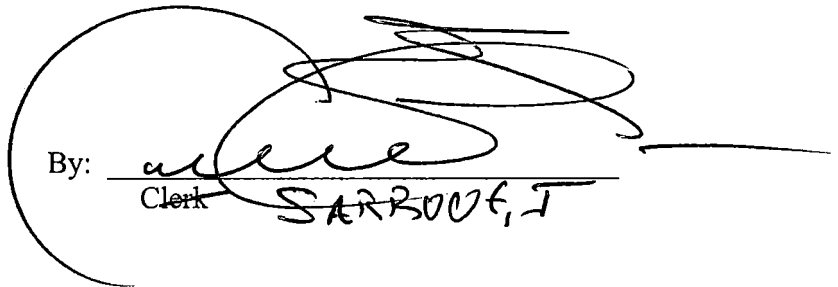
1. On Count I and Count II of the Complaint, judgment hereby enters in favor of Plaintiff Matthew Sutton and the class of individuals certified by the Court in its December 21, 2020, Order (collectively, "Plaintiff"), in the amounts of:

- (a) \$2,755,481.94, representing single damages and payable to each class member in the amounts as set forth in Exhibit 1;
- (b) \$5,510,963.88, constituting the trebling of the single damages ((a) above) pursuant to M.G.L. c. 149, § 150, and M.G.L. c. 151, § 1B and payable to each class member in the amounts as set forth in Exhibit 1;

- (c) prejudgment interest in the total amount of \$784,519.68, payable to each class member in the amounts as set forth in Exhibit 1;
- (d) attorneys' fees in the total amount of \$647,360.00; and
- (e) costs in the total amount of \$7,631.98.

2. On Count III of the Complaint, judgment hereby enters in favor of Defendant and against Plaintiff.

Dated: 6-8-22

By:   
Clerk SARROUT, J

# **Exhibit 1**

<u>Class</u> <u>Member</u> <u>Number</u>	<u>Single Damages</u>	<u>Treble Damages</u>	<u>Interest on Single Damages</u> <u>(calculated by day)</u>	<u>TOTAL DAMAGES</u> <u>(Treble damages + Interest)</u>
1	\$11,264.47	\$ 33,793.41	\$ 3,207.13	\$37,000.54
2	\$5,296.69	\$ 15,890.07	\$ 1,508.03	\$17,398.10
3	\$16,036.77	\$ 48,110.31	\$ 4,565.87	\$52,676.18
4	\$17,122.38	\$ 51,367.14	\$ 4,874.95	\$56,242.09
5	\$17,132.37	\$ 51,397.11	\$ 4,877.80	\$56,274.91
6	\$16,229.88	\$ 48,689.64	\$ 4,620.85	\$53,310.49
7	\$7,086.02	\$ 21,258.06	\$ 2,017.48	\$23,275.54
8	\$15,136.13	\$ 45,408.39	\$ 4,309.44	\$49,717.83
9	\$1,587.90	\$ 4,763.70	\$ 452.09	\$5,215.79
10	\$17,426.81	\$ 52,280.43	\$ 4,961.63	\$57,242.06
11	\$16,347.02	\$ 49,041.06	\$ 4,654.20	\$53,695.26
12	\$14,892.05	\$ 44,676.15	\$ 4,239.95	\$48,916.10
13	\$16,524.60	\$ 49,573.80	\$ 4,704.76	\$54,278.56
14	\$13,895.78	\$ 41,687.34	\$ 3,956.30	\$45,643.64
15	\$16,879.49	\$ 50,638.47	\$ 4,805.80	\$55,444.27
16	\$9,884.97	\$ 29,654.91	\$ 2,814.37	\$32,469.28
17	\$17,661.02	\$ 52,983.06	\$ 5,028.31	\$58,011.37
18	\$16,085.17	\$ 48,255.51	\$ 4,579.65	\$52,835.16
19	\$15,904.84	\$ 47,714.52	\$ 4,528.30	\$52,242.82
20	\$15,464.18	\$ 46,392.54	\$ 4,402.84	\$50,795.38
21	\$3,241.85	\$ 9,725.55	\$ 922.99	\$10,648.54
22	\$17,008.99	\$ 51,026.97	\$ 4,842.67	\$55,869.64
23	\$15,247.05	\$ 45,741.15	\$ 4,341.02	\$50,082.17
24	\$17,110.98	\$ 51,332.94	\$ 4,871.71	\$56,204.65
25	\$3,523.34	\$ 10,570.02	\$ 1,003.14	\$11,573.16
26	\$14,016.70	\$ 42,050.10	\$ 3,990.73	\$46,040.83
27	\$3,502.09	\$ 10,506.27	\$ 997.09	\$11,503.36
28	\$9,202.28	\$ 27,606.84	\$ 2,620.00	\$30,226.84
29	\$17,369.55	\$ 52,108.65	\$ 4,945.33	\$57,053.98
30	\$9,191.66	\$ 27,574.98	\$ 2,616.98	\$30,191.96
31	\$13,228.05	\$ 39,684.15	\$ 3,766.19	\$43,450.34
32	\$14,809.80	\$ 44,429.40	\$ 4,216.53	\$48,645.93
33	\$13,964.39	\$ 41,893.17	\$ 3,975.83	\$45,869.00
34	\$13,436.23	\$ 40,308.69	\$ 3,825.46	\$44,134.15
35	\$15,542.12	\$ 46,626.36	\$ 4,425.03	\$51,051.39
36	\$14,754.05	\$ 44,262.15	\$ 4,200.66	\$48,462.81
37	\$19,593.34	\$ 58,780.02	\$ 5,578.47	\$64,358.49
38	\$14,820.36	\$ 44,461.08	\$ 4,219.54	\$48,680.62
39	\$19,086.89	\$ 57,260.67	\$ 5,434.27	\$62,694.94
40	\$13,255.49	\$ 39,766.47	\$ 3,774.00	\$43,540.47
41	\$13,968.02	\$ 41,904.06	\$ 3,976.87	\$45,880.93
42	\$14,348.04	\$ 43,044.12	\$ 4,085.06	\$47,129.18
43	\$9,795.47	\$ 29,386.41	\$ 2,788.89	\$32,175.30
44	\$3,722.40	\$ 11,167.20	\$ 1,059.81	\$12,227.01

6/19/2019	COMPLAINT FILED
11/1/2021	DATE OF JUDGMENT
866	NUMBER OF DAYS

45	\$18,416.88	\$	55,250.64	\$	5,243.51	\$60,494.15
46	\$1,518.75	\$	4,556.25	\$	432.41	\$4,988.66
47	\$9,396.86	\$	28,190.58	\$	2,675.40	\$30,865.98
48	\$14,808.90	\$	44,426.70	\$	4,216.28	\$48,642.98
49	\$9,205.71	\$	27,617.13	\$	2,620.98	\$30,238.11
50	\$3,663.34	\$	10,990.02	\$	1,043.00	\$12,033.02
51	\$715.63	\$	2,146.89	\$	203.75	\$2,350.64
52	\$10,794.15	\$	32,382.45	\$	3,073.23	\$35,455.68
53	\$14,563.47	\$	43,690.41	\$	4,146.40	\$47,836.81
54	\$24,720.65	\$	74,161.95	\$	7,038.27	\$81,200.22
55	\$1,998.09	\$	5,994.27	\$	568.88	\$6,563.15
56	\$18,006.91	\$	54,020.73	\$	5,126.79	\$59,147.52
57	\$18,659.57	\$	55,978.71	\$	5,312.61	\$61,291.32
58	\$1,291.24	\$	3,873.72	\$	367.63	\$4,241.35
59	\$16,168.49	\$	48,505.47	\$	4,603.37	\$53,108.84
60	\$18,712.76	\$	56,138.28	\$	5,327.75	\$61,466.03
61	\$14,799.61	\$	44,398.83	\$	4,213.63	\$48,612.46
62	\$14,301.86	\$	42,905.58	\$	4,071.92	\$46,977.50
63	\$17,026.98	\$	51,080.94	\$	4,847.79	\$55,928.73
64	\$10,320.09	\$	30,960.27	\$	2,938.26	\$33,898.53
65	\$16,083.25	\$	48,249.75	\$	4,579.10	\$52,828.85
66	\$14,950.07	\$	44,850.21	\$	4,256.47	\$49,106.68
67	\$13,255.76	\$	39,767.28	\$	3,774.08	\$43,541.36
68	\$17,709.58	\$	53,128.74	\$	5,042.14	\$58,170.88
69	\$16,003.82	\$	48,011.46	\$	4,556.48	\$52,567.94
70	\$9,431.09	\$	28,293.27	\$	2,685.15	\$30,978.42
71	\$14,066.35	\$	42,199.05	\$	4,004.86	\$46,203.91
72	\$1,581.38	\$	4,744.14	\$	450.24	\$5,194.38
73	\$14,829.63	\$	44,488.89	\$	4,222.18	\$48,711.07
74	\$15,480.62	\$	46,441.86	\$	4,407.52	\$50,849.38
75	\$15,006.55	\$	45,019.65	\$	4,272.55	\$49,292.20
76	\$15,997.09	\$	47,991.27	\$	4,554.57	\$52,545.84
77	\$10,747.52	\$	32,242.56	\$	3,059.95	\$35,302.51
78	\$9,392.42	\$	28,177.26	\$	2,674.14	\$30,851.40
79	\$13,070.63	\$	39,211.89	\$	3,721.37	\$42,933.26
80	\$15,197.59	\$	45,592.77	\$	4,326.94	\$49,919.71
81	\$15,447.45	\$	46,342.35	\$	4,398.08	\$50,740.43
82	\$13,730.50	\$	41,191.50	\$	3,909.24	\$45,100.74
83	\$16,958.12	\$	50,874.36	\$	4,828.19	\$55,702.55
84	\$17,271.83	\$	51,815.49	\$	4,917.50	\$56,732.99
85	\$14,203.45	\$	42,610.35	\$	4,043.90	\$46,654.25
86	\$5,308.79	\$	15,926.37	\$	1,511.48	\$17,437.85
87	\$18,018.95	\$	54,056.85	\$	5,130.22	\$59,187.07
88	\$16,557.61	\$	49,672.83	\$	4,714.16	\$54,386.99
89	\$15,539.63	\$	46,618.89	\$	4,424.32	\$51,043.21
90	\$16,766.27	\$	50,298.81	\$	4,773.56	\$55,072.37
91	\$4,050.60	\$	12,151.80	\$	1,153.26	\$13,305.06
92	\$14,678.79	\$	44,036.37	\$	4,179.23	\$48,215.60

93	\$15,816.62	\$	47,449.86	\$	4,503.19	\$51,953.05
94	\$4,387.86	\$	13,163.58	\$	1,249.28	\$14,412.86
95	\$16,820.87	\$	50,462.61	\$	4,789.11	\$55,251.72
96	\$16,094.49	\$	48,283.47	\$	4,582.30	\$52,865.77
97	\$10,992.10	\$	32,976.30	\$	3,129.59	\$36,105.89
98	\$17,759.80	\$	53,279.40	\$	5,056.43	\$58,335.83
99	\$15,763.97	\$	47,291.91	\$	4,488.20	\$51,780.11
100	\$17,559.00	\$	52,677.00	\$	4,999.26	\$57,676.26
101	\$18,045.71	\$	54,137.13	\$	5,137.84	\$59,274.97
102	\$16,686.47	\$	50,059.41	\$	4,750.84	\$54,810.25
103	\$17,352.54	\$	52,057.62	\$	4,940.48	\$56,998.10
104	\$17,409.41	\$	52,228.23	\$	4,956.67	\$57,184.90
105	\$15,771.39	\$	47,314.17	\$	4,490.31	\$51,804.48
106	\$15,961.83	\$	47,885.49	\$	4,544.53	\$52,430.02
107	\$15,510.32	\$	46,530.96	\$	4,415.98	\$50,946.94
108	\$17,084.41	\$	51,253.23	\$	4,864.14	\$56,117.37
109	\$14,308.36	\$	42,925.08	\$	4,073.77	\$46,998.85
110	\$7,894.09	\$	23,682.27	\$	2,247.54	\$25,929.81
111	\$16,049.76	\$	48,149.28	\$	4,569.56	\$52,718.84
112	\$9,297.14	\$	27,891.42	\$	2,647.01	\$30,538.43
113	\$8,465.20	\$	25,395.60	\$	2,410.15	\$27,805.75
114	\$14,534.99	\$	43,604.97	\$	4,138.29	\$47,743.26
115	\$15,470.00	\$	46,410.00	\$	4,404.50	\$50,814.50
116	\$17,979.36	\$	53,938.08	\$	5,118.95	\$59,057.03
117	\$3,814.27	\$	11,442.81	\$	1,085.97	\$12,528.78
118	\$9,488.96	\$	28,466.88	\$	2,701.62	\$31,168.50
119	\$14,078.10	\$	42,234.30	\$	4,008.21	\$46,242.51
120	\$4,622.39	\$	13,867.17	\$	1,316.05	\$15,183.22
121	\$14,430.99	\$	43,292.97	\$	4,108.68	\$47,401.65
122	\$13,587.62	\$	40,762.86	\$	3,868.56	\$44,631.42
123	\$12,250.91	\$	36,752.73	\$	3,487.99	\$40,240.72
124	\$11,914.60	\$	35,743.80	\$	3,392.23	\$39,136.03
125	\$16,474.01	\$	49,422.03	\$	4,690.35	\$54,112.38
126	\$16,548.60	\$	49,645.80	\$	4,711.59	\$54,357.39
127	\$17,815.10	\$	53,445.30	\$	5,072.18	\$58,517.48
128	\$15,681.79	\$	47,045.37	\$	4,464.80	\$51,510.17
129	\$14,683.15	\$	44,049.45	\$	4,180.47	\$48,229.92
130	\$13,618.76	\$	40,856.28	\$	3,877.43	\$44,733.71
131	\$16,202.82	\$	48,608.46	\$	4,613.14	\$53,221.60
132	\$15,954.35	\$	47,863.05	\$	4,542.40	\$52,405.45
133	\$781.95	\$	2,345.85	\$	222.63	\$2,568.48
134	\$8,787.91	\$	26,363.73	\$	2,502.03	\$28,865.76
135	\$14,927.23	\$	44,781.69	\$	4,249.97	\$49,031.66
136	\$16,897.40	\$	50,692.20	\$	4,810.90	\$55,503.10
137	\$11,059.62	\$	33,178.86	\$	3,148.81	\$36,327.67
138	\$1,629.08	\$	4,887.24	\$	463.82	\$5,351.06
139	\$1,206.24	\$	3,618.72	\$	343.43	\$3,962.15
140	\$1,422.80	\$	4,268.40	\$	405.09	\$4,673.49

141	\$1,425.66	\$	4,276.98	\$	405.90	\$4,682.88
142	\$1,799.30	\$	5,397.90	\$	512.28	\$5,910.18
143	\$939.28	\$	2,817.84	\$	267.42	\$3,085.26
144	\$809.60	\$	2,428.80	\$	230.50	\$2,659.30
145	\$746.58	\$	2,239.74	\$	212.56	\$2,452.30
146	\$546.66	\$	1,639.98	\$	155.64	\$1,795.62
147	\$601.26	\$	1,803.78	\$	171.19	\$1,974.97
148	\$596.56	\$	1,789.68	\$	169.85	\$1,959.53
149	\$9,920.09	\$	29,760.27	\$	2,824.37	\$32,584.64
150	\$16,524.94	\$	49,574.82	\$	4,704.85	\$54,279.67
151	\$9,494.40	\$	28,483.20	\$	2,703.17	\$31,186.37
152	\$15,943.61	\$	47,830.83	\$	4,539.34	\$52,370.17
153	\$5,885.72	\$	17,657.16	\$	1,675.74	\$19,332.90
154	\$15,200.25	\$	45,600.75	\$	4,327.70	\$49,928.45
155	\$16,077.41	\$	48,232.23	\$	4,577.44	\$52,809.67
156	\$6,986.24	\$	20,958.72	\$	1,989.07	\$22,947.79
157	\$15,562.56	\$	46,687.68	\$	4,430.85	\$51,118.53
158	\$17,126.87	\$	51,380.61	\$	4,876.23	\$56,256.84
159	\$14,379.77	\$	43,139.31	\$	4,094.10	\$47,233.41
160	\$15,082.28	\$	45,246.84	\$	4,294.11	\$49,540.95
161	\$15,015.27	\$	45,045.81	\$	4,275.03	\$49,320.84
162	\$9,987.80	\$	29,963.40	\$	2,843.65	\$32,807.05
163	\$8,140.23	\$	24,420.69	\$	2,317.62	\$26,738.31
164	\$14,052.05	\$	42,156.15	\$	4,000.79	\$46,156.94
165	\$16,389.35	\$	49,168.05	\$	4,666.25	\$53,834.30
166	\$17,527.04	\$	52,581.12	\$	4,990.16	\$57,571.28
167	\$1,015.05	\$	3,045.15	\$	289.00	\$3,334.15
168	\$11,537.22	\$	34,611.66	\$	3,284.79	\$37,896.45
169	\$10,735.25	\$	32,205.75	\$	3,056.46	\$35,262.21
170	\$242.55	\$	727.65	\$	69.06	\$796.71
171	\$16,345.04	\$	49,035.12	\$	4,653.63	\$53,688.75
172	\$17,453.03	\$	52,359.09	\$	4,969.09	\$57,328.18
173	\$19,287.02	\$	57,861.06	\$	5,491.25	\$63,352.31
174	\$7,869.12	\$	23,607.36	\$	2,240.44	\$25,847.80
175	\$13,898.23	\$	41,694.69	\$	3,957.00	\$45,651.69
176	\$10,336.33	\$	31,008.99	\$	2,942.88	\$33,951.87
177	\$16,535.72	\$	49,607.16	\$	4,707.92	\$54,315.08
178	\$15,165.47	\$	45,496.41	\$	4,317.80	\$49,814.21
179	\$3,605.96	\$	10,817.88	\$	1,026.66	\$11,844.54
180	\$15,286.54	\$	45,859.62	\$	4,352.27	\$50,211.89
181	\$18,402.23	\$	55,206.69	\$	5,239.34	\$60,446.03
182	\$6,512.58	\$	19,537.74	\$	1,854.21	\$21,391.95
183	\$14,523.49	\$	43,570.47	\$	4,135.02	\$47,705.49
184	\$1,304.55	\$	3,913.65	\$	371.42	\$4,285.07
185	\$7,036.58	\$	21,109.74	\$	2,003.40	\$23,113.14
186	\$15,552.57	\$	46,657.71	\$	4,428.01	\$51,085.72
187	\$11,999.28	\$	35,997.84	\$	3,416.34	\$39,414.18
188	\$16,140.59	\$	48,421.77	\$	4,595.42	\$53,017.19

189	\$17,502.87	\$	52,508.61	\$	4,983.28	\$57,491.89
190	\$5,668.16	\$	17,004.48	\$	1,613.80	\$18,618.28
191	\$11,502.90	\$	34,508.70	\$	3,275.02	\$37,783.72
192	\$501.30	\$	1,503.90	\$	142.73	\$1,646.63
193	\$9,000.49	\$	27,001.47	\$	2,562.55	\$29,564.02
194	\$2,758.66	\$	8,275.98	\$	785.42	\$9,061.40
195	\$16,033.37	\$	48,100.11	\$	4,564.90	\$52,665.01
196	\$17,453.69	\$	52,361.07	\$	4,969.28	\$57,330.35
197	\$5,162.37	\$	15,487.11	\$	1,469.79	\$16,956.90
198	\$16,591.96	\$	49,775.88	\$	4,723.94	\$54,499.82
199	\$4,200.87	\$	12,602.61	\$	1,196.04	\$13,798.65
200	\$16,536.17	\$	49,608.51	\$	4,708.05	\$54,316.56
201	\$17,254.70	\$	51,764.10	\$	4,912.63	\$56,676.73
202	\$18,905.42	\$	56,716.26	\$	5,382.61	\$62,098.87
203	\$12,691.06	\$	38,073.18	\$	3,613.30	\$41,686.48
204	\$16,611.39	\$	49,834.17	\$	4,729.47	\$54,563.64
205	\$6,364.42	\$	19,093.26	\$	1,812.03	\$20,905.29
206	\$10,534.63	\$	31,603.89	\$	2,999.34	\$34,603.23
207	\$471.91	\$	1,415.73	\$	134.36	\$1,550.09
208	\$324.56	\$	973.68	\$	92.41	\$1,066.09
209	\$2,834.18	\$	8,502.54	\$	806.93	\$9,309.47
210	\$9,803.37	\$	29,410.11	\$	2,791.14	\$32,201.25
211	\$959.72	\$	2,879.16	\$	273.24	\$3,152.40
212	\$13,395.12	\$	40,185.36	\$	3,813.76	\$43,999.12
213	\$15,494.59	\$	46,483.77	\$	4,411.50	\$50,895.27
214	\$4,235.64	\$	12,706.92	\$	1,205.94	\$13,912.86
215	\$4,345.53	\$	13,036.59	\$	1,237.23	\$14,273.82
216	\$8,695.46	\$	26,086.38	\$	2,475.70	\$28,562.08
217	\$9,941.91	\$	29,825.73	\$	2,830.58	\$32,656.31
218	\$1,411.27	\$	4,233.81	\$	401.81	\$4,635.62
219	\$2,579.15	\$	7,737.45	\$	734.32	\$8,471.77
220	\$2,392.55	\$	7,177.65	\$	681.19	\$7,858.84
221	\$10,594.27	\$	31,782.81	\$	3,016.32	\$34,799.13
222	\$14,201.38	\$	42,604.14	\$	4,043.31	\$46,647.45
223	\$11,051.57	\$	33,154.71	\$	3,146.52	\$36,301.23
224	\$3,862.24	\$	11,586.72	\$	1,099.63	\$12,686.35
225	\$2,131.68	\$	6,395.04	\$	606.92	\$7,001.96
226	\$10,928.74	\$	32,786.22	\$	3,111.55	\$35,897.77
227	\$8,757.18	\$	26,271.54	\$	2,493.28	\$28,764.82
228	\$9,295.98	\$	27,887.94	\$	2,646.68	\$30,534.62
229	\$8,789.23	\$	26,367.69	\$	2,502.40	\$28,870.09
230	\$6,791.21	\$	20,373.63	\$	1,933.54	\$22,307.17
231	\$3,590.98	\$	10,772.94	\$	1,022.40	\$11,795.34
232	\$4,637.70	\$	13,913.10	\$	1,320.41	\$15,233.51
233	\$6,940.72	\$	20,822.16	\$	1,976.11	\$22,798.27
234	\$3,939.76	\$	11,819.28	\$	1,121.70	\$12,940.98
235	\$5,636.12	\$	16,908.36	\$	1,604.67	\$18,513.03
236	\$5,168.36	\$	15,505.08	\$	1,471.50	\$16,976.58



237	\$2,901.80	\$	8,705.40	\$	826.18	\$9,531.58
238	\$6,226.70	\$	18,680.10	\$	1,772.82	\$20,452.92
239	\$2,046.81	\$	6,140.43	\$	582.75	\$6,723.18
240	\$3,090.54	\$	9,271.62	\$	879.91	\$10,151.53
241	\$3,658.12	\$	10,974.36	\$	1,041.51	\$12,015.87
242	\$2,963.79	\$	8,891.37	\$	843.83	\$9,735.20
243	\$1,719.16	\$	5,157.48	\$	489.47	\$5,646.95
244	\$1,336.20	\$	4,008.60	\$	380.43	\$4,389.03
245	\$4,955.03	\$	14,865.09	\$	1,410.76	\$16,275.85
246	\$3,267.44	\$	9,802.32	\$	930.28	\$10,732.60
247	\$4,377.36	\$	13,132.08	\$	1,246.29	\$14,378.37
	<b>\$2,755,481.94</b>	<b>\$</b>	<b>8,266,445.82</b>	<b>\$</b>	<b>784,519.68</b>	<b>\$ 9,050,965.50</b>