

1 EDNA GARCIA EARLEY, Bar No. 195661  
STATE OF CALIFORNIA  
2 DEPARTMENT OF INDUSTRIAL RELATIONS  
DIVISION OF LABOR STANDARDS ENFORCEMENT  
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7  
8 BEFORE THE LABOR COMMISSIONER  
9 OF THE STATE OF CALIFORNIA  
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11 DAVID ANDREW SOJKA,

CASE NO. TAC 10306

**DETERMINATION OF  
CONTROVERSY**

12  
13 Petitioner,

14 vs.

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16 NOUVEAU MODEL AND TALENT  
MANAGEMENT, INC.

17 Respondent.  
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20 The above-captioned matter, a Petition to Determine Controversy under  
21 Labor Code §1700.44, came on regularly for hearing on May 28, 2009 in Los Angeles,  
22 California, before the undersigned attorney for the Labor Commissioner assigned to hear  
23 this case. Petitioner DAVID ANDREW SOJKA ("Petitioner") appeared in pro per.  
24 Respondent NOUVEAU MODEL AND TALENT MANAGEMENT, INC., who, until  
25 recently, was licensed as a talent agency, appeared through its CEO, Peter W. Hamm  
26 ("Respondent").

27 The parties stipulated that Respondent owes Petitioner DAVID ANDREW  
28 SOJKA, a model and therefore an "artist" under the Talent Agencies Act, Five Thousand

1 Two Hundred Dollars and Zero Cents (\$5,200.00) in unpaid earnings and expenses,  
2 interest calculated from November 5, 2007, December 13, 2008, December 28, 2007 and  
3 March 5, 2008 to the date of this determination pursuant to Labor Code §1700.25(e)(2) in  
4 the amount of Seven Hundred Forty Dollars and Forty-Eight Cents (\$740.48)<sup>1</sup> and  
5 reasonable attorney's fees in the amount of Two Hundred Dollars and Zero Cents  
6 (\$200.00) under Labor Code §1700.25(e)(1).

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26 <sup>1</sup> Of the \$5,200.00 in unpaid earnings owed, \$1,060.00 was due as of November 5, 2007  
27 resulting in interest of **\$165.53** due; \$2,020.00 was due on December 13, 2007 resulting in  
28 interest of **\$294.42** due; \$1,060.00 was due on December 28, 2007 resulting in **\$150.14**  
due; and \$1,060.00 was due on March 5, 2008 resulting in interest of **\$130.39** due, for a  
total of **\$740.48** due in interest on the unpaid earnings.

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ORDER

Based on the parties' stipulation, we hereby ORDER that Petitioner DAVID ANDREW SOJKA is entitled to **\$5,200.00** in unpaid earnings and expenses; **\$740.48** in interest (calculated at the legal rate of 10% from November 5, 2007, December 13, 2008, December 28, 2007 and March 5, 2008 [see Footnote 1] to the date of this determination, May 28, 2009) under Labor Code §1700.25(e)(2), plus **\$200.00** in reasonable attorney's fees under Labor Code §1700.25(e)(1), for a total of **\$6,140.48**.

Petitioner DAVID ANDREW SOJKA is also entitled to recover from the \$50,000 bond posted by Respondent with the Labor Commissioner as a condition of being licensed as a talent agent.

DATED: May 28, 2009

Respectfully submitted,

By: *Edna Garcia Earley*  
EDNA GARCIA EARLEY  
Attorneys for the Labor Commissioner

ADOPTED AS THE DETERMINATION OF THE LABOR COMMISSIONER.

Dated: *May 29, 2009* By: *Angela Bradstreet*  
ANGELA BRADSTREET  
State Labor Commissioner

