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7 Attorneys for Defendant,  
 DEPUTY AARON (EHREN) WEIDENKELLER  
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9 UNITED STATES DISTRICT COURT

10 CENTRAL DISTRICT OF CALIFORNIA

11 GUILLERMO OLVERA, JR., ) Case No.CV 06-07585 PSG(PJWx)  
 12 )  
 Plaintiff, )  
 13 ) **[PROPOSED] JUDGMENT IN A CIVIL**  
 vs. ) **CASE**  
 14 )  
 AARON JOHN WEIDENKELLER a/k/a )  
 15 EHREN WEIDENKELLER, DEPUTY )  
 MICHAEL BEACHNER, MICHAEL S. ) Trial:  
 16 CARONA, ORANGE COUNTY ) Date: October 20, 2009  
 SHERIFF'S DEPARTMENT, COUNTY ) Time: 9:00 a.m.  
 17 OF ORANGE, JOHN DOE, TONY ) Courtroom: 790  
 RACKAUCKAS, DISTRICT ATTORNEY )  
 18 FOR THE COUNTY OF ORANGE, )  
 RICHARD ROE, DEPUTY DISTRICT )  
 19 ATTORNEY and TWENTY UNKNOWN )  
 NAMED DEFENDANTS, inclusive, )  
 20 )  
 Defendants. ) **MATTER FOR DETERMINATION BY THE**  
 21 ) **HONORABLE PHILIP S. GUTIERREZ**

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 23  
 24 This action came on for trial on October 20, 2009 before the  
 25 Honorable Philip S. Gutierrez, District Judge presiding. Jeff  
 26 Dominic Price appeared as counsel for Plaintiff. David D.  
 27 Lawrence and Daniel Cha of Lawrence Beach Allen & Choi, PC,  
 28 appeared as counsel for Defendant AARON (EHREN) WEIDENKELLER.

1 On October 20, 2009, a jury was empanelled and sworn to try  
2 the action. Witnesses were sworn and examined and exhibits  
3 entered into evidence.

4 After hearing the evidence, instructions by the Court, and  
5 arguments of counsel, the jury retired to consider its verdict.  
6 On October 23, 2009, the jury returned to Court and duly rendered  
7 its unanimous special verdicts in writing as follows:

8  
9 **SPECIAL VERDICT FORM**

10 **Question No. 1.**

11 Do you find, by a preponderance of the evidence, that Ehren  
12 Weidenkeller violated Plaintiff Olvera's constitutional rights by  
13 using excessive force against Plaintiff?

14 Yes X No\_\_\_

15  
16 If you answered "Yes" to Question No. 1, answer Question No.  
17 2. If you answered "No" to Question No. 1, skip the remaining  
18 questions and sign and date this Special Verdict Form.

19  
20 **Question No. 2.**

21 Do you find, by a preponderance of the evidence, that the  
22 use of unreasonable force by Defendant Weidenkeller caused injury  
23 to Plaintiff Olvera?

24 Yes X No\_\_\_

25  
26 If you answered "Yes" to Question No. 2, answer Question No.  
27 3. If you answered "No" to Question No. 2, skip the remaining  
28 questions and sign and date this Special Verdict Form.



1 Based upon the verdict of the jury in this matter;  
2 IT IS HEREBY ORDERED, ADJUDGED, AND DECREED AS FOLLOWS:  
3 That judgment shall be entered in favor of Defendant AARON  
4 JOHN WEIDENKELLER and against Plaintiff GUILLERMO OLVERA, JR.

5 Any costs and attorneys' fees as the Court may deem to be  
6 recoverable will be reserved and determined by the Court at a  
7 further hearing.

8 IT IS SO ORDERED.

9

10 DATED: 12/04/09



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HONORABLE PHILIP S. GUTIERREZ  
United States District Judge

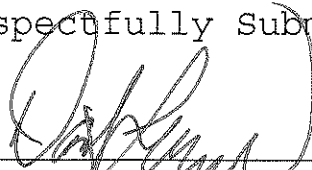
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15 Respectfully Submitted by:

16

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By  \_\_\_\_\_

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DAVID D. LAWRENCE  
CHRISTINA M. SPRENGER  
DANIEL S. CHA

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Attorneys for Defendant  
DEPUTY AARON (EHREN) WEIDENKELLER

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**PROOF OF SERVICE**

**STATE OF CALIFORNIA; COUNTY OF ORANGE**

I, Donna T. Adams, am employed in the aforesaid County, State of California; I am over the age of 18 years and not a party to the within action; my business address is 1600 N. Broadway, Suite 1010, Santa Ana, California 92706.


On November 2, 2009, I electronically filed the foregoing **[PROPOSED] JUDGMENT IN A CIVIL CASE** with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following e-mail addresses:

Jeff Dominic Price      jeff.price@mac.com; organize4@mac.com

\_\_\_ BY MAIL: I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with the U.S. Postal Service on that same day with postage thereon fully prepaid at Glendale, California in the ordinary course of business.

X (Federal) I declare under penalty of perjury that the foregoing is true and correct, and that I am employed in the office of a member of the bar of this Court at whose direction the service was made.

Executed on November 2, 2009, at Santa Ana, California.

  
Signature of Declarant