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**UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA**

ARNOLDO SAN JOSE, and MARIA SAN JOSE,

*Plaintiffs,*

vs.

CITY OF LOS ANGELES, WILLIAM BRATTON and DEREK MOUSSEAU,

*Defendants.*

CASE NO. CV09-1823AHM (VBKx)

U.S. District Judge A. Howard Matz

~~PROPOSED~~

**JUDGMENTAFTER TRIAL**

**Trial: October 27, 2010**

On November 5, 2010, following the presentation of evidence and argument during a jury trial which commenced October 27, 2010 and concluded November 5, 2010, the jury, in the above-entitled action, UNANIMOUSLY found as follows:

**QUESTION NO. 1:** Did Plaintiffs prove that Officer Derek Mousseau used excessive, and therefore unreasonable, force against Byron San Jose? (Instructions 3A, 3B, 3C, and 3D)

Yes \_\_\_ No X

*Regardless of how you answer Question 1, proceed to answer Question 2.*

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**QUESTION 2:** Did Plaintiffs prove that Officer Derek Mousseau acted negligently in how he dealt with Byron San Jose? (Instructions 4A, 4B, 4D, and 4E)

Yes \_\_\_\_\_ No X

*If you answered "no" to Question 2, please sign and return this form. If you answered "yes" to Question 2, please answer the following question.*

**QUESTION 3:** Did Officer Mousseau prove that Byron San Jose acted negligently? (Instructions 4B, 4C, and 4D)

Yes \_\_\_\_\_ No \_\_\_\_\_

*If you answered "yes" to Question 3, please proceed to Question 4. If you answered "no" to Question 3, please sign and return this form.*

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**QUESTION 4:** What percentage of responsibility for Byron San Jose's death do you assign to the negligent conduct, if any, of the following?

Officer Derek Mousseau \_\_\_\_\_ %

Byron San Jose \_\_\_\_\_ %

Total 100%

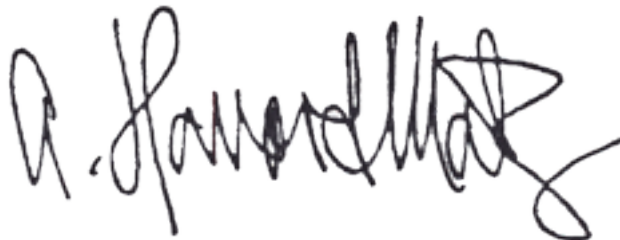
*Please sign and return this verdict form.*

Dated: November 4, 2010

By: Confidential  
Jury Foreperson

1 **ORDER**

2 Therefore, IT IS HEREBY ORDERED, DECREED AND ADJUDGED that  
3 judgment on the merits be entered in favor of Defendants, CITY OF LOS ANGELES,  
4 WILLIAM BRATTON, and DEREK MOUSSEAU and against Plaintiffs, ARNOLDO  
5 SAN JOSE and MARIA SAN JOSE, and that Plaintiffs take nothing; and that  
6 Defendants CITY OF LOS ANGELES, WILLIAM BRATTON, and DEREK  
7 MOUSSEAU be entitled to recover their costs from the Plaintiffs in accordance with  
8 Local Rule 54.

9 

10  
11 DATED: November 23, 2010

12 **HONORABLE A. HOWARD MATZ**  
13 **United States District Judge**

14 JS-6

15  
16 I reviewed the foregoing proposed judgment on behalf of my clients and submit it  
17 for the Court's consideration.

18  
19 DATED: November 10, 2010

20  
21 Respectfully submitted,

22 **CARMEN A. TRUTANICH**, City Attorney  
23 **GARY G. GEUSS**, Chief Asst. City Atty.  
24 **CORY M. BRENT**, Supervising Assistant City Attorney  
25 **DENISE C. MILLS**, Deputy City Attorney

26 */S/ Denise C. Mills*

27 By DENISE C. MILLS, Deputy City Attorney

28 *Attorneys for Defendants* **CITY OF LOS ANGELES,**  
**WILLIAM BRATTON, and DEREK MOUSSEAU**