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8 UNITED STATES DISTRICT COURT
9 CENTRAL DISTRICT OF CALIFORNIA

10 IAN MICHAEL MEDJES,
11

12 Plaintiffs,
13

14 vs.

15 LOS ANGELES POLICE
16 DEPARTMENT OFFICERS
17 WUNDER, WINGER, WHITELAW,
18 RAMIREZ, MORALES,
19 NALBORZCYK, BAYONA,
20 JEPPSON, NAKAMURA,
21 DUYANEM, SADANAGA,
22 PROSSER, MARAVILLA, TAGG;
23 KAISER FOUNDATION
24 HOSPITALS; DR. GARO BALKIAN,
25 MD, and DOES 1-10,

26 Defendants.

CASE NO. CV14-05377 DDP (JCx)
JUDGMENT

27 This action came on regularly for trial on February 7, 2017, in Courtroom
28 "7C" of the United States District Court, Central District of California, Central
Division, the Honorable Dean D. Pregerson, Judge Presiding. The Plaintiff IAN
MICHAEL MEDJES, was represented by attorney Larry A. Peluso. The
Defendants MANDEE DUYANEN, JAMES JEPPSON, FRANCISCO

1 MARAVILLA, ELIMELEC LEMUS-MORALES, CORY NAKAMURA,
2 MICHAEL NALBORCZYK, DET. DEBBIE PROSSER, GUS RAMIREZ, DET.
3 MARIE SADANAGA, LISA TAGG, MATTHEW WHITELAW, SGT. DOUGLAS
4 WINGER and SGT. CHARLES WUNDER were present and represented by
5 attorneys Colleen R. Smith and Lisa W. Lee. Defendant KEVIN BAYONA is
6 hereby dismissed with prejudice from this matter.

7 The trial was bifurcated, with phase I addressing liability and compensatory
8 damages only.

9 A jury of 8 persons was regularly impaneled and sworn on February 7, 2017.
10 Witnesses were sworn and testified. On February 14, 2017, following the
11 presentation of evidence and argument during a jury trial which concluded February
12 14, 2017, the jury, in the above-entitled action, UNANIMOUSLY found as follows:

13
14 **JUDGMENT ON SPECIAL VERDICT**

15 WE, THE JURY in the above-entitled action, unanimously find as follows on
16 the questions submitted to us:

17
18 QUESTION NO. 1: Has Plaintiff Medjes proved by a preponderance of the
19 evidence that any of the following Defendants violated his Fourth Amendment
20 Constitutional Rights by using excessive force against him?

21 *Answer (check "Yes" or "No") following the name of each Defendant:*

23 FRANCISCO MARAVILLA	YES_____	NO <u>✓</u>
24 ELIMELEC LEMUS-MORALES	YES_____	NO <u>✓</u>
25 MICHAEL NALBORCZYK	YES_____	NO <u>✓</u>
26 GUS RAMIREZ	YES_____	NO <u>✓</u>
27 LISA TAGG	YES_____	NO <u>✓</u>
28 MATTHEW WHITELAW	YES_____	NO <u>✓</u>

1 CHARLES WUNDER YES _____ NO ✓

2 *If you answered "No" as to each of the Defendants, please date and sign this form*
3 *where indicated below and return to the form to the Court.*

4 *If you answered "Yes" as to any Defendant, proceed to Question No. 2.*

5

6 QUESTION NO. 2: For each "Yes" response you gave to Question No. 1, do you
7 find that Plaintiff Medjes has proved by a preponderance of the evidence that the
8 Defendant's conduct was the cause of injury to him? (If you responded "No" with
9 respect to a particular Defendant in Question No. 1, do not answer Question No. 2
10 with respect to that Defendant.)

11 *Answer (check "Yes" or "No") following the name of each Defendant:*

12 FRANCISCO MARAVILLA YES _____ NO _____

13 ELIMELEC LEMUS-MORALES YES _____ NO _____

14 MICHAEL NALBORCZYK YES _____ NO _____

15 GUS RAMIREZ YES _____ NO _____

16 LISA TAGG YES _____ NO _____

17 MATTHEW WHITELAW YES _____ NO _____

18 CHARLES WUNDER YES _____ NO _____

19

20 *Please proceed to Question No. 3.*

21

22 QUESTION NO. 3: Has Plaintiff Medjes proved by a preponderance of the
23 evidence that any of the following Defendants failed to intervene to prevent a
24 violation of his Fourth Amendment Constitutional Rights?

25 *Answer (check "Yes" or "No") following the name of each Defendant:*

26 FRANCISCO MARAVILLA YES _____ NO ✓

27 ELIMELEC LEMUS-MORALES YES _____ NO ✓

28 MICHAEL NALBORCZYK YES _____ NO ✓

1	GUS RAMIREZ	YES_____	NO <u>✓</u> _____
2	LISA TAGG	YES_____	NO <u>✓</u> _____
3	MATTHEW WHITELAW	YES_____	NO <u>✓</u> _____
4	CHARLES WUNDER	YES_____	NO <u>✓</u> _____

5

6 *If you answered “No” as to each of the Defendants, please proceed to Question No.*
7 *5.*

8 *If you answered “Yes” as to any Defendant, proceed to Question No. 4.*

9

10 QUESTION NO. 4: For each “Yes” response you gave to Question No. 3, do you
11 find that Plaintiff Medjes has proved by a preponderance of the evidence that the
12 Defendant’s conduct was the cause of injury to him? (If you responded “No” with
13 respect to a particular Defendant in Question No. 3, do not answer Question No. 4
14 with respect to that Defendant.)

15 *Answer (check “Yes” or “No”) following the name of each Defendant:*

16	FRANCISCO MARAVILLA	YES_____	NO_____
17	ELIMELEC LEMUS-MORALES	YES_____	NO_____
18	MICHAEL NALBORCZYK	YES_____	NO_____
19	GUS RAMIREZ	YES_____	NO_____
20	LISA TAGG	YES_____	NO_____
21	MATTHEW WHITELAW	YES_____	NO_____
22	CHARLES WUNDER	YES_____	NO_____

23

24 *Please proceed to Question No. 5.*

25

26 QUESTION NO. 5: *Only answer the following question if you gave any “Yes”*
27 *responses to Question Nos. 2 or 4. If you gave only “No” responses to Question*
28 *Nos. 2 and 4, please date and sign this form where indicated below.*

1 Has Plaintiff Medjes proved by a preponderance of the evidence that any of
2 the following Defendants acted with malice, fraud or oppression?

3 *Answer (check "Yes" or "No") following the name of each Defendant:*

4			
5	FRANCISCO MARAVILLA	YES_____	NO_____
6	ELIMELEC LEMUS-MORALES	YES_____	NO_____
7	MICHAEL NALBORCZYK	YES_____	NO_____
8	GUS RAMIREZ	YES_____	NO_____
9	LISA TAGG	YES_____	NO_____
10	MATTHEW WHITELAW	YES_____	NO_____
11	CHARLES WUNDER	YES_____	NO_____
12			

13 *Please date and sign below, and return this form to the Court. Thank you.*

14
15 DATED: 2/14/17 _____/s/_____

16 _____ FOREPERSON OF THE JURY

17
18
19 ***JUDGMENT IS HEREBY ENTERED IN FAVOR OF ALL DEFENDANTS ON***
20 ***ALL CLAIMS.***

21 ***IT IS SO ORDERED.***

22
23 DATED: March 8, 2017

24 

25 **HONORABLE DEAN D. PREGERSON**

26 **UNITED STATES DISTRICT COURT JUDGE**