

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

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

J.J.D., a minor, individually and as	)	<b>CASE NO.: CV 14-07463-BRO-</b>
Successor in Interest to ASA JAMES	)	<b>MRW</b>
DOLAK, deceased, by and through his	)	
Guardian Ad Litem, ANDREA SUSAN	)	<b>JUDGMENT AFTER JURY TRIAL</b>
DOLAK,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	
	)	
CITY OF TORRANCE, a municipal	)	
entity, SERGEANT JAMES	)	
RUDOLPH, an individual, OFFICER	)	
PAUL WILKIINS, an individual,	)	
OFFICER ERIC BERNIER, an	)	
individual, OFFICER HECTOR	)	
SALAS, an individual, and DOES 1	)	
through 10, inclusive,	)	
	)	
Defendants.	)	
	)	
	)	
	)	
	)	

1 This action came on regularly for trial on March 29, 2016, in Courtroom 14  
2 of this United States District Court. Plaintiff was J.J.D., by and through his  
3 Guardian Ad Litem, Andrea Dolak. Plaintiff is the minor son of Decedent Asa  
4 Dolak. Plaintiff was represented by Brian T. Dunn and Megan R. Gyongyos of  
5 The Cochran Firm California. Defendants City of Torrance, Sergeant James  
6 Rudolph, Officer Paul Wilkins, Officer Eric Bernier, and Officer Hector Salas  
7 were represented by Mildred O’Linn and Courtney Arbucci of Manning & Kass,  
8 Ellrod, Ramirez, Trestor LLP.

9 A jury of eight persons was regularly empaneled and sworn. Witnesses were  
10 sworn and testified. After hearing the evidence and arguments of counsel, the jury  
11 was duly instructed by the Court and the case was submitted to the jury. The jury  
12 deliberated and thereafter returned a verdict as follows:

13  
14 **42 U.S.C. § 1983 CLAIM**

15  
16 **QUESTION NO. 1:** Has the plaintiff, J.J.D., proven by a preponderance of the  
17 evidence that any of the following defendants violated Asa Dolak’s Fourth  
18 Amendment Constitutional rights?

19  
20 Sergeant James Rudolph YES \_\_\_\_\_ NO X \_\_\_\_\_  
21 Officer Paul Wilkins YES \_\_\_\_\_ NO X \_\_\_\_\_  
22 Officer Eric Bernier YES \_\_\_\_\_ NO X \_\_\_\_\_  
23 Officer Hector Salas YES \_\_\_\_\_ NO X \_\_\_\_\_  
24

25 *If you answered “Yes” to this question as to any of the defendants, proceed*  
26 *to Question No. 2. If you answered “No” to this question as to all of the*  
27 *defendants, proceed to Question No. 5.*  
28

1 **QUESTION NO. 2:** Has the Plaintiff proven by a preponderance of the evidence  
2 that any of the following defendants' conduct caused injury to Asa Dolak?

3  
4 *Check "Yes" or "No" following the name of only the defendant(s) that you*  
5 *answered "Yes" to in Question No. 1.*

6  
7 Sergeant James Rudolph YES \_\_\_\_\_ NO \_\_\_\_\_

8 Officer Paul Wilkins YES \_\_\_\_\_ NO \_\_\_\_\_

9 Officer Eric Bernier YES \_\_\_\_\_ NO \_\_\_\_\_

10 Officer Hector Salas YES \_\_\_\_\_ NO \_\_\_\_\_

11  
12 *If you answered "Yes" to this question as to any of the defendants, proceed*  
13 *to Question No. 3. If you answered "No" to this question as to all of the*  
14 *defendants, proceed to Question No. 5.*

15  
16  
17 **QUESTION NO. 3:** What is the total amount of damages to Asa Dolak that you  
18 find the plaintiff has proven by a preponderance of the evidence.

19  
20 \$ \_\_\_\_\_

21  
22 *Proceed to Question No. 4.*

23  
24  
25 **QUESTION NO. 4:** Has the plaintiff proven by a preponderance of the evidence  
26 that any of the following defendants acted with malice, oppression, or reckless  
27 disregard of Asa Dolak's rights?  
28

1           Check “Yes” or “No” following the name of only the defendant(s) that you  
2 answered “Yes” to in Question Nos. 1 AND 2.

3  
4           Sergeant James Rudolph           YES \_\_\_\_\_ NO \_\_\_\_\_

5           Officer Paul Wilkins           YES \_\_\_\_\_ NO \_\_\_\_\_

6           Officer Eric Bernier           YES \_\_\_\_\_ NO \_\_\_\_\_

7           Officer Hector Salas           YES \_\_\_\_\_ NO \_\_\_\_\_

8  
9           *Proceed to Question No. 5.*

10  
11  
12 **NEGLIGENCE CLAIM**

13  
14 **QUESTION NO. 5:** Has the plaintiff proven that any of the following defendants  
15 acted negligently?

16  
17           Sergeant James Rudolph           YES X \_\_\_\_\_ NO \_\_\_\_\_

18           Officer Paul Wilkins           YES X \_\_\_\_\_ NO \_\_\_\_\_

19           Officer Eric Bernier           YES \_\_\_\_\_ NO \_\_\_\_\_

20           Officer Hector Salas           YES \_\_\_\_\_ NO X \_\_\_\_\_

21  
22           *If you answered “Yes” to this question as to any of the defendants, proceed*  
23 *to Question No. 6. If you answered “No” to this question as to all of the*  
24 *defendants, please skip the remaining questions.*

1 **QUESTION NO. 6:** Has the plaintiff proven that any of the following  
2 defendants' negligence was a substantial factor in causing Asa Dolak's death?

3  
4 *Check "Yes" or "No" following the names of only the defendant(s) that you*  
5 *answered "Yes" to in Question No. 5.*

6  
7 Sergeant James Rudolph YES  NO \_\_\_\_\_

8 Officer Paul Wilkins YES  NO \_\_\_\_\_

9 Officer Eric Bernier YES \_\_\_\_\_ NO \_\_\_\_\_

10 Officer Hector Salas YES \_\_\_\_\_ NO \_\_\_\_\_

11  
12 *If you answered "Yes" to this question as to any of the defendants, proceed*  
13 *to Question No. 7. If you answered "No" to this question as to all of the*  
14 *defendants, please skip the remaining questions.*

15  
16  
17 **QUESTION NO. 7:** What are the plaintiff's damages resulting from the death of  
18 Asa Dolak?

19  
20 Noneconomic Damages \$6 MILLION

21  
22 *Proceed to Question No. 8.*

23  
24  
25 **QUESTION NO. 8:** Have the defendants proven that Asa Dolak was negligent?

26  
27 YES  NO \_\_\_\_\_

1           *If you answered “Yes” to this question, proceed to Question No. 9. If you*  
2 *answered “No” to this question, please skip the remaining questions.*

3  
4  
5 **QUESTION NO. 9:** Have the defendants proven that Asa Dolak’s negligence was  
6 a substantial factor in causing his death?

7  
8                           YES X       NO \_\_\_\_\_

9  
10           *If you answered “Yes” to this question, proceed to Question No. 10. If you*  
11 *answered “No” to this question, please skip the remaining questions.*

12  
13  
14 **QUESTION NO. 10:** What percentage of responsibility for Asa Dolak’s harm do  
15 you assign to Asa Dolak?

16  
17                           85%

18  
19  
20           By the operation of law, judgment is entered against Defendant City of  
21 Torrance consistent with the verdict on the claim for negligence.

22  
23           **NOW, THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND**  
24 **DECREED** that the final judgment in this action be entered as follows:


- 25           1. On the claim for negligence: Judgment is entered in favor of Plaintiff  
26           J.J.D. in the amount of \$900,000.00. Defendants Sergeant James  
27           Rudolph and Officer Paul Wilkins and City of Torrance, jointly and  
28

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

severally, are liable for \$900,000.00. Defendants Sergeant James Rudolph and Officer Paul Wilkins and City of Torrance are also liable for interest and costs as provided by law.

2. The total amount awarded to Plaintiff J.J.D. by this Judgment is \$900,000.00, plus interest and costs as provided by law.

DATED: JUNE 29, 2016

  
\_\_\_\_\_  
HON. BEVERLY REID O'CONNELL  
UNITED STATES DISTRICT JUDGE