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

MACARIO GARCIA, ) Case No. CIV-14-07634 AB(PLAx)

Plaintiff, ) [*Complaint Filed: 10/07/2014;*

vs. )

*Hon. André Birotte Jr.;*

COUNTY OF LOS ANGELES, A ) **~~PROPOSED~~ JUDGMENT**  
Public Entity; SHERIFF LEROY ) **IMPOSING TERMINATING AND**  
BACA, UNDERSHERIFF PAUL ) **MONETARY SANCTIONS**  
TANAKA, DEPUTY MARCOPOLO ) **AGAINST PLAINTIFF MACARIO**  
CHAVEZ, individually, DEPUTY ) **GARCIA**  
MICAH WEINREB, and DOES 1 )  
through 10, Jointly and Severally, )

Defendants. )

**JUDGMENT IMPOSING TERMINATING AND MONETARY  
SANCTIONS AGAINST PLAINTIFF MACARIO GARCIA**

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**JUDGMENT**

Having considered Defendants' Second Notice of Motion and Motion for Monetary and Terminating Sanctions against Plaintiff Macario Garcia, Plaintiff's Opposition, the Reply, the evidence submitted in support thereof and carefully considering the five factors to determine whether terminating sanctions are warranted under the totality of the circumstance of this case, **IT IS HEREBY ORDERED, ADJUDGED AND DECREED THAT:**

- Defendants' Motion is GRANTED in its entirety;
- Terminating Sanctions are imposed and Plaintiff Macario Garcia's Action is DISMISSED WITH PREJUDICE;
- Sanctions are imposed against Plaintiff and awarded to Defendants as requested in the amount of \$3,900.00 for the reasonable costs of bringing the motion (Antonio K. Kizzie, Esq. reasonable hourly rate of \$425.00/hour x 6 hours totaling \$2,550.00) and Dr. Stan Katz's invoice due to Plaintiff's non-appearance at Plaintiff's IME (\$1,350.00) to be paid by Plaintiff within thirty (30) days of this Order;
- Defendants' pending Motion for Summary Judgment (Dkt. 94) is DENIED AS MOOT WITHOUT PREJUDICE;

Now, therefore, it is **ORDERED, ADJUDGED, AND DECREED** that Plaintiff shall recover nothing by reason of the complaint, and that Defendants shall recover costs from Plaintiff MACARIO GARCIA pursuant to Federal Rule of Civil Procedure 54(d)(1) per cost bill.

Dated: October 4, 2017



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**THE HONORABLE ANDRÉ BIROTTE JR.**  
**UNITED STATES DISTRICT JUDGE**