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

GENNADY DOLZHENICO and  
ZINAIDA DOLZHENICO,

Plaintiffs,

vs.

CITY OF LOS ANGELES,  
CALIFORNIA; CHIEF CHARLIE  
BECK; SERGEANT MICHAEL  
HENDERSON; SERGEANT DAVID  
BLUESTEIN, and DOES 1-8,

Defendants.

**CASE NO. CV15-04581 AB (SSx)**

**JUDGMENT**

**Trial Date: August 15, 2017**

**JUDGMENT**

On August 15, 2017, the foregoing matter was called for trial in Department “7B” of the United States District Court, Central District of California, Central Division. The Honorable Andre Birotte, Jr., was presiding. Plaintiffs GENNADY DOLZHENICO and ZINAIDA DOLZHENICO were present and represented by Ronald M. Tym. Defendants MICHAEL HENDERSON and DAVID BLUESTEIN were present and represented by Deputy City Attorney Ty A. Ford.

1 Prior to the commencement of trial, the Plaintiffs dismissed the third and  
2 fourth causes of action. The second cause of action was bifurcated into a “*Monell*  
3 phase,” which would be heard if Plaintiffs prevailed during the first phase,  
4 addressing liability and compensatory damages only.

5 Following pre-trial proceedings on August 15, 2016, a panel of jurors was  
6 called that same day. A jury of eight persons was regularly impaneled on August  
7 15, 2017.

8 Evidence was presented on August 15, 2017 through August 17, 2017.  
9 Witnesses were sworn and testified. The parties rested. Jury instructions were read  
10 and the case was argued on August 18, 2017. The case was submitted to the jury on  
11 August 18, 2017.

12 On August 18, 2017, the jury UNANIMOUSLY returned verdicts as follows:

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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 **QUESTIONS REGARDING THE CLAIMS OF PLAINITFF GENNADY**  
19 **DOLZHENICO**

20 **QUESTION NO. 1:**

21 Has Gennady Dolzhenico proven by a preponderance of the evidence that he  
22 had a property interest in the Calvert Street house?

23 YES \_\_\_\_\_ NO ✓

24 (If you answered “Yes” to Question No. 1, please proceed to Question No. 2.  
25 If you answered “No” to Question No. 1, please proceed to Question No. 7.)

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1 **QUESTION NO. 2:**

2 Has Gennady Dolzhenico proven by a preponderance of the evidence that any  
3 of the following Defendant Officers deprived him of that property interest?

4 MICHAEL HENDERSON Yes\_\_\_\_\_ No\_\_\_\_\_

5 DAVID BLUESTEIN Yes\_\_\_\_\_ No\_\_\_\_\_

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7 (If you answered “Yes” to Question No. 2, please proceed to Question No. 3.  
8 If you answered “No” to Question No. 2, please proceed to Question No. 7.)

9 **QUESTION NO. 3:**

10 Has Gennady Dolzhenico proven by a preponderance of the evidence that he  
11 was not given a notice or hearing before an eviction?

12 YES\_\_\_\_\_ NO\_\_\_\_\_

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14 (If you answered “Yes” to Question No. 3, please proceed to Question No. 4.  
15 If you answered “No” to Question No. 3, please proceed to Question No. 7.)

16 **QUESTION NO. 4:**

17 (Answer only as to the Defendant Officer(s) you answered “yes” to in  
18 Question No. 2.)

19 If you answered “Yes” to Questions No. 1, 2, and 3, do you find that Plaintiff  
20 Gennady Dolzhenico has proven by a preponderance of the evidence that the  
21 Defendant officer’s conduct was the cause of injury to Plaintiff Gennady  
22 Dolzhenico?

23 (Answer (check “Yes” or “No”) following the name of only the Defendant  
24 that you answered “Yes” in Question No. 2.

25 MICHAEL HENDERSON Yes\_\_\_\_\_ No\_\_\_\_\_

26 DAVID BLUESTEIN Yes\_\_\_\_\_ No\_\_\_\_\_

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1 (If you answered “yes” to any of the above defendant officers, please proceed  
2 to Question No. 5. If you answered “no” as to the above defendant officers, skip  
3 Questions No. 5 and No. 6, and proceed to Question No. 7.)

3 **DAMAGES**

4 (If you gave any “Yes” responses to Question No. 4, please answer the following  
5 Questions. Otherwise, please proceed to Question 7.)

6 **QUESTION NO. 5:**

7 What is the total amount of damages suffered by the Plaintiff Gennady Dolzhenico?

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9 \$\_\_\_\_\_.

10 (Please proceed to Question No. 6.)

11 **QUESTION NO. 6:**

12  
13 Has Gennady Dolzhenico proven, by a preponderance of the evidence, that  
14 any of the following defendant officers acted with malice, oppression or in reckless  
15 disregard of the rights of Gennady Dolzhenico?

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

17 **(Continued on Next Page)**

18 MICHAEL HENDERSON Yes\_\_\_\_\_ No\_\_\_\_\_

19 DAVID BLUESTEIN Yes\_\_\_\_\_ No\_\_\_\_\_

21 **QUESTIONS REGARDING THE CLAIMS OF PLAINTIFF ZINAIDA**  
22 **DOLZHENICO**

23 **QUESTION NO. 7:**

24 Has Zinaida Dolzhenico proven by a preponderance of the evidence that she  
25 had a property interest in the Calvert Street house?

26 YES\_\_\_\_\_ NO\_✓\_\_\_\_\_  
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1 (If you answered "Yes" to Question No. 7, please proceed to Question No. 8. If you  
2 answered "No" to Question No. 7, please stop, answer no further questions, and sign  
and date the verdict form.)

3 **QUESTION NO. 8:**

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5 Has Zinaida Dolzhenico proven by a preponderance of the evidence that any  
6 of the following Defendant Officers deprived her of that property interest?

7 MICHAEL HENDERSON Yes\_\_\_\_\_ No\_\_\_\_\_

8 DAVID BLUESTEIN Yes\_\_\_\_\_ No\_\_\_\_\_

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10 (If you answered "Yes" to Question No. 8, please proceed to Question No. 9.  
11 If you answered "No" to Question No. 8, please stop, answer no further questions,  
and sign and date the verdict form.)

12 **QUESTION NO. 9:**

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14 Has Zinaida Dolzhenico proven by a preponderance of the evidence that she  
was not given a notice or hearing before an eviction?

15 YES\_\_\_\_\_ NO\_\_\_\_\_

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17 (If you answered "Yes" to Question No. 9, please proceed to Question No. 10.  
18 If you answered "No" to Question No. 9, please stop, answer no further questions,  
and sign and date the verdict form.)

19 **QUESTION NO. 10:**

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21 (Answer only as to the Defendant Officer(s) you answered "yes" to in  
22 Question No. 8.)

23 If you answered "Yes" to Questions No. 7, 8, and 9, do you find that Plaintiff  
24 Zinaida Dolzhenico has proved by a preponderance of the evidence that the  
Defendant officer's conduct was the cause of injury to Plaintiff Zinaida Dolzhenico?

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26 (Answer (check "Yes" or "No") following the name of only the Defendant  
that you answered "Yes" in Question No. 8.)

27 MICHAEL HENDERSON Yes\_\_\_\_\_ No\_\_\_\_\_

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1 Now, therefore, it is ORDERED, ADJUDGED AND DECREED that  
2 Plaintiffs GENNADY DOLZHENICO and ZINAIDA DOLZHENICO have and  
3 recover nothing by reason of each and all his and her claims as set forth in the  
4 Complaint against Defendants MICHAEL HENDERSON, DAVID BLUESTEIN,  
5 CHARLIE BECK and CITY OF LOS ANGELES and that Defendants shall recover  
6 their costs in accordance with Local Rule 54.

7  
8 ***JUDGMENT IS HEREBY ENTERED IN FAVOR OF ALL DEFENDANTS ON***  
9 ***ALL CLAIMS.***

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11 ***IT IS SO ORDERED.***

12 DATED: September 5, 2017



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15 **HONORABLE ANDRÉ BIROTTE JR.**  
16 **UNITED STATES DISTRICT COURT JUDGE**

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