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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
WESTERN DIVISION

JS-6

RHONDA PELTIER, an individual,

Plaintiff,

v.

THE UNITED STATES OF
AMERICA,

Defendant.

Case No. 2:16-cv-00774 ODW (SPx)

~~XXXXXXXXXXXX~~ [PROPOSED] JUDGMENT

Honorable Otis D. Wright II
United States District Judge

1 The above-captioned action came on regularly for a bench trial on September 26,
2 2017 before Judge Otis D. Wright II, United States District Judge. Plaintiff Rhonda
3 Peltier was represented by John Nojima, Seth Mumy, and Casey Hultin of Lederer and
4 Nojima LLP and Defendant United States was represented by Assistant United States
5 Attorney Richard M. Park of the United States Attorney’s Office. Plaintiff asserted a
6 single cause of action for negligence in her Complaint. (Doc. No. 2.)

7 At trial, parties submitted, and the Court admitted into evidence, testimony of the
8 parties’ direct witnesses through declarations and/or deposition testimony. The parties
9 submitted the direct testimony of: Mark Campbell, Charles Rosen, M.D., Rhonda
10 Peltier, Eugene Peltier, Robyn Scancich, Officer Darren Wybenga, and Glenn Huber,
11 M.D. (Doc. Nos. 54–55.) The parties cross-examined Mark Campbell, Charles
12 Rosen, M.D., Glenn Huber, M.D., Rhonda Peltier, and Eugene Peltier live in the
13 courtroom. Prior to the conclusion of the trial, Defendant moved for judgment on partial
14 findings pursuant to Rule 52(c) of the Federal Rules of Civil Procedure. The Court
15 deferred ruling on Defendant’s Motion.

16 On October 16, 2017, the Court entered its Findings of Fact and Conclusions of
17 Law (Doc. 64), which found Mark Campbell and Plaintiff to be 75% and 25% at fault,
18 respectively, for the motor vehicle accident. Plaintiff was awarded a total recoverable
19 amount of \$3,155.13. The Court denied Defendant’s Rule 52(c) motion.

1 NOW, THEREFORE, IT IS ORDERED, ADJUDGED, AND DECREED that:

2 1. Plaintiff is awarded a judgment in the total amount of \$3,155.13 for her
3 claim of negligence against the United States in this action.

4 2. Defendant's motion under Rule 52(c) of the Federal Rules of Civil
5 Procedure is denied.

6 3. Each party shall bear its own costs of suit and attorney's fees.

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8 Dated: October 24, 2017.

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13 HONORABLE OTIS D. WRIGHT II
14 UNITED STATES DISTRICT JUDGE
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