

JS-6

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA  
EASTERN DIVISION

JAWAD SHALABI,

Plaintiffs,

v.

BMW OF NORTH AMERICA, LLC,

Defendants.

Case No.: CV 19-05682-CJC (AGRx)

JUDGMENT

Plaintiff Jawad Shalabi has accepted a Federal Rule of Civil Procedure 68 Offer of Judgment from Defendant BMW of North America, LLC. (Dkt. 15.) The Court hereby **ORDERS** that:

1. Judgment is entered in favor of Plaintiff and against Defendants.
2. Defendant shall refund to Plaintiff any documented, verifiable costs and fees reasonably associated with the acquisition of the subject vehicle pursuant to

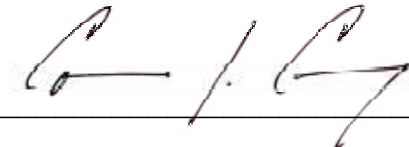
1 the May 10, 2017 Motor Vehicle Lease Agreement (“Lease Agreement”), as  
2 well as any documented, verifiable monthly payments that Plaintiff has  
3 made to BMW Financial Services NA, LLC (“BMW FS”) pursuant to the  
4 Lease Agreement, not to exceed \$23,967.28, less the applicable mileage  
5 offset not to exceed \$13,229.79 (based on 28,878 miles on April 29, 2019).

- 6 3. Defendant shall pay the amount due to BMW FS sufficient to pay off the  
7 balance owed on the subject vehicle in full (with the pay-off amount paid  
8 directly to BMW FS).
- 9 4. Plaintiff shall transfer title, possession, and control of the subject vehicle to  
10 Defendant.
- 11 5. Plaintiff shall file a Request for Dismissal of the entire action, with  
12 prejudice, within 5 business days after receiving all payments from  
13 Defendant due to Plaintiff and Plaintiff’s counsel and those payments  
14 clearing the normal bank cycle.
- 15 6. The Court will retain jurisdiction to enforce this Offer of Judgment under  
16 FRCP 41(a).
- 17 7. Defendant’s Motion to Compel Arbitration (Dkt. 12) is **DENIED AS**  
18 **MOOT.**

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1 8. The only remaining issue to be resolved is an award of attorney fees and  
2 costs. Plaintiff shall be entitled to recover reasonable attorney fees and costs  
3 to be determined by the Court, in the amount of either \$2,500.00 or the  
4 reasonable costs, expenses and attorney fees actually incurred by Plaintiff up  
5 to September 9, 2019. Defendant shall not be liable for a fee multiplier  
6 above 1.00

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8 DATED: October 7, 2019



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CORMAC J. CARNEY

11 UNITED STATES DISTRICT JUDGE  
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