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JS-6

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

WILLIAM F. HOWARD,)	Case No. EDCV 12-00700 VAP
)	(OPx)
Plaintiff,)	
)	JUDGMENT ON (1) STIPULATED
v.)	DISMISSALS AND (2) SPECIAL
)	VERDICT
COUNTY OF RIVERSIDE,)	
ARMANDO MUNOZ, AND DOES)	
1 TO 10,)	
)	
Defendants.)	

This action came on regularly for trial on June 3, 2014, in Courtroom "2" of the above-entitled court, the Honorable District Judge Virginia A. Phillips presiding. Plaintiff William H. Howard appeared by attorneys Dale K. Galipo of The Law Offices of Dale K. Galipo and Vicki I. Sarmiento of The Law Offices of Vicki I. Sarmiento. Defendants County of Riverside and Deputy Armando Munoz appeared by attorneys John M. Porter and James Packer of Lewis Brisbois Bisgaard & Smith LLP, and Christopher Lockwood of Arias and Lockwood.

1 Before trial the parties stipulated to the dismissal
2 of Sergeant Randall Wedertz and Sheriff Stanley Sniff.
3 Accordingly, the Court enters a judgment of dismissal
4 against Sergeant Randall Wedertz and Sheriff Stanley
5 Sniff.

6

7 A jury of 8 persons was impaneled and sworn.
8 Witnesses were sworn and testified. After hearing the
9 evidence and arguments of counsel, the jury was duly
10 instructed by the Court, and the cause was submitted to
11 the jury with instructions to return a verdict on special
12 issues. The jury deliberated and thereafter returned
13 into Court with its verdict as follows:

14

15

CLAIM 1: SECTION 1983 CLAIM - USE OF EXCESSIVE FORCE

16

17 1. Did Defendant Deputy Munoz use excessive force
against Plaintiff William Howard?

18

19

X

YES NO

20 (If you answered Question No. 1 "yes," answer Question
21 No. 2. If you answered Question No. 1 "no," go to
Question 3.)

22 2. Was Defendant Deputy Munoz's use of excessive force a
23 cause of injury to Plaintiff William Howard?

24

25

X

YES NO

26 (Please go to Question No. 3)

27

28

CLAIM 2: BATTERY

3. Did Defendant Deputy Munoz use unreasonable force against Plaintiff William Howard?

X
YES _____ NO _____

(If you answered Question No. 3 "yes," answer Question No. 4. If you answered Question No. 3 "no," and you answered Question Nos. 1 and 2 "yes," go to Question No. 5. If you answered Question No. 3 "no," and you answered either Question No. 1 or 2 "no" go to the end of the Special Verdict Form without answering any other questions, date and sign the form, and advise the Bailiff.)

4. Was Defendant Deputy Munoz's use of unreasonable force a cause of injury to Plaintiff William Howard?

X
YES _____ NO _____

(If you answered Question No. 4 "yes," go to Question No. 5. If you answered Question No. 4 "no," and you answered Question Nos. 1 and 2 "yes", go to Question No. 5. If you answered Question No. 4 "no," and you answered either Question Nos. 1 or 2 "no" go to the end of the Special Verdict Form without answering any other questions, date and sign the form, and advise the Bailiff.)

DAMAGES

Answer each line with a dollar amount or write zero.

5. What are Plaintiff William Howard's damages for his physical pain, suffering, and disfigurement?

Past Mental, Physical, and Emotional Pain, Suffering, and Disfigurement
\$ 1,500,000.00

Future Mental, Physical, and Emotional Pain, Suffering, and Disfigurement
\$ 1,500,000.00

(If you answered Question Nos. 1 and 2 "yes," answer Question No. 6. If you answered Question Nos. 1 or 2 "no," do not answer Question No. 6, and go to Question No. 7.)

As stated in the Court's Instructions, the amounts for past and future medical services and care for

1 Plaintiff's damages on his Excessive Force Section 1983
2 Claim and Battery Claim may be different.

3
4 6. On his Excessive Force Section 1983 Claim, what are
5 Plaintiff William Howard's damages for his past and
6 future medical services and care?

7 Past Medical Services and Care

8 \$ 410,000.00

9 Present Value of Future Medical Services and Care

10 \$ 3,000,000.00

11 (If you answered Question Nos. 3 and 4 "yes," answer
12 Question No. 7. If you answered Question Nos. 3 or 4
13 "no," go to the end of the Special Verdict Form without
14 answering any other questions, date and sign the form,
15 and advise the Bailiff.)

16 7. On his Battery Claim, what are William Howard's
17 damages for past and future medical care and services?

18 Past Medical Services and Care

19 \$ 300,000.00

20 Present Value of Future Medical Services and Care

21 \$ 1,100,000.00

22 Signed: /s/
23 Presiding Juror

24 Dated: June 11, 2014

25 **NOW THEREFORE, IT IS ORDERED ADJUDGED AND DECREED:**

26 Pursuant to Plaintiff's election of damages awarded
27 to him on his section 1983 Claim, Plaintiff William H.
28 Howard has a judgment against Defendant Deputy Armando
Munoz and Defendant County of Riverside in the sum of
\$6,410,000.00 with interest thereon at the legal rate per

1 annum, plus attorney's fees and costs as prevailing party
2 under the section 1983 Claim.

3
4 *Virginia A. Phillips*

5 Dated: July 3, 2014

6 VIRGINIA A. PHILLIPS
7 United States District Judge

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