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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA – RIVERSIDE

DENNIS RUTHERFORD, an individual; PETER KLUNE, an individual, and TARA BARTH, an individual,

Plaintiffs,

vs.

PALO VERDE HEALTH CARE DISTRICT, a public entity; TRINA SARTIN, an individual; SANDRA HUDSON, an individual; and DOES 1-50, inclusive,

Defendants.

Case No. EDCV13-01247 JAK (SPx) [Consolidated with Case Nos. EDCV13-01249 JAK (SPx) and EDCV13-01250 JAK (SPx)]

AMENDED JUDGMENT

1 Pursuant to Rules 54(a) and 58(b)(2)(B) of the Federal Rules of Civil
2 Procedure, following the pretrial and court trial proceedings in this matter, and to
3 proceed as to matters in aid of the pending appeals by providing a single judgment
4 that addresses all matters that have been adjudicated,

5 **IT IS HEREBY ORDERED, ADJUDGED AND DECREED THAT:**

6 As to the second claim for relief by Plaintiff Peter Klune (“Klune”) for breach
7 of contract, JUDGMENT is entered in favor of Klune and against Defendant Palo
8 Verde Health Care District in the amount of \$440,648, plus prejudgment interest in
9 the amount of \$124,104.16. As to all other claims for relief brought by Klune, he
10 shall take nothing, and judgment is entered in favor of Defendants Palo Verde
11 Healthcare District, Trina Sartin, Sandra Hudson and Samuel Burton.

12 As to all claims by Plaintiffs Dennis Rutherford (“Rutherford”) and Tara Barth
13 (“Barth”), each shall take nothing and judgment is entered in favor of Defendants
14 Palo Verde Healthcare District, Trina Sartin, Sandra Hudson and Samuel Burton.

15 The Court having previously awarded interim attorney’s fees to Defendants
16 pursuant to the California anti-SLAPP statute, it is further ordered that Defendant
17 Palo Verde Health Care District is entitled to recover \$10,990.31 in attorney’s fees
18 from Klune, \$10,055.16 in attorney’s fees from Rutherford, and \$8594.53 in
19 attorney’s fees from Barth. Defendants are also awarded interest on each of these
20 amounts at the legal rate commencing June 12, 2014, which is the date of each award.
21 That interest will continue to accrue as to each award until it is satisfied. Each
22 plaintiff is liable only for the amount of the award against him or her together with the
23 associated interest on such award.

24 The Court having decided the motions of Klune and Defendants for attorney’s
25 fees following entry of Judgment on November 16, 2015 (Dkt. 576), it is further
26 ordered that Klune is entitled to recover \$31,025 in fees against Defendant Palo Verde
27 Health Care District under Cal. Civ. Code Cal. § 1717, Palo Verde Health Care
28 District is entitled to recover \$19,981 in fees against Rutherford and Barth pursuant to

1 Cal. Civ. Code Cal. § 1717, and Defendants are entitled to recover \$3750 in fees
2 against Barth, Rutherford and Klune pursuant to 42 U.S.C. § 1988. Defendants are
3 the prevailing party for the purpose of recovery of allowed costs as set forth in Local
4 Civil Rule 54 as to Plaintiffs Rutherford and Barth. The Court, having decided
5 Rutherford and Barth's motion to retax costs awarded by the Clerk following entry of
6 Judgment, it is ordered that Rutherford and Barth are jointly and severally liable for
7 \$48,243.65 in costs and that Rutherford is solely liable for \$3450.22 in costs.

8 As to Defendants and Klune, because neither is the prevailing party, each shall
9 be responsible for the costs each incurred.

10 **IT IS SO ORDERED.**

11
12 Dated: November 28, 2016

13 By: 
14 _____
15 **Hon. John A. Kronstadt**
16 **United States District Judge**