ANDRÉ BIROTTE JR. **United States Attorney** LEON W. WEIDMAN Assistant United States Attorney Chief, Civil Division JASON K. AXE 3 Assistant United States Attorney JS - 6 California Bar Number 187101 JOANNA HULL Assistant United States Attorney California Bar Number 227153 KRISTEN M. LEE Assistant United States Attorney California Bar Number 239464 7 Federal Building, Suite 7516 300 North Los Angeles Street 8 Los Angeles, California 90012 Telephone: (213) 894-8827/6585/0332 9 Facsimile: (213) 894-7819 10 E-mail: Jason.Axe@usdoj.gov Joanna.Hull@usdoj.gov 11 Kristen.Lee@usdoj.gov Attorneys for Defendant 12 United States Postal Service 13 UNITED STATES DISTRICT COURT 14 FOR THE CENTRAL DISTRICT OF CALIFORNIA 15 SOUTHERN DIVISION 16 ROBERT NIGG AND KEITH No. SACV 03-1611 JVS (ANx) 17 LEWIS, et al., **JUDGMENT** 18 Plaintiffs, 19 v. 20 UNITED STATES POSTAL SERVICE. 21 Defendant. 22 23 This matter came on for trial without a jury on January 6, 10, 11, and 12 24 2012, before the Honorable James V. Selna, District Judge. The matter having 25 been duly tried, the Court having heard all the testimony and considered all 26 admissible evidence, as well as the arguments of counsel and their respective 27 proposed Findings of Fact and Conclusions of Law, the Court has now issued its

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Findings of Fact and Conclusions of Law. After reviewing all of the evidence in this matter and findings of fact and conclusions of law having been rendered, 2 IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that judgment 3 shall be entered in favor of defendant United States Postal Service. Plaintiffs are 4 not entitled to any of their requested relief. 5 6 7 IT IS SO ORDERED. 8 DATED: January 25, 2012 9 10 UNITED STATES DISTRICT JUDGE 11 PRESENTED BY: 12 ANDRÉ BIROTTE JR. 13 **United States Attorney** LEON W. WEIDMAN Assistant United States Attorney Chief, Civil Division 15 JOANNA HULL Assistant United States Attorney KRISTEN M. LEE 16 17 Assistant United States Attorney 18 <u>/s/ Jason K. Axe</u> JASON K. AXE Assistant United States Attorney Attorneys for Defendant 20 United States Postal Service 21 22 Approved as to Form: 23 OSBORN LAW, P.C. 24 25 26 /s/ Daniel A. Osborn per email authorization DANIEL A. OSBORN, ESQ. 27 Attorneys for Plaintiffs

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