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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

NIVEEN ISMAIL,
Plaintiff,
vs.
PENNY FREEMAN; NEIL
SCHUSTER; each in their official
and individual capacities,
Defendants.

No. CV11-01751 CAS (AJW)
AMENDED ~~PROPOSED~~
JUDGMENT

Plaintiff filed this case in this Court on November 14, 2011, asserting claims for malicious prosecution and wrongful arrest pursuant to *42 U.S.C. §1983* and related state laws. Following a combination of joint stipulations and voluntary dismissals, plaintiff filed a Second Amended Complaint (“SAC”) on August 8, 2012, naming as defendants the City of Newport Beach (“Newport Beach”), the County of Orange (“Orange County”), Detective Penny Freeman of the Newport Beach Police Department (“Freeman”), Neil Schuster of the Newport Beach Police Department (“Schuster”), and Deputy Orange County District Attorney Elizabeth Costello.

1 By order dated October 18, 2012, the Court dismissed all federal claims
2 against Elizabeth Costello and declined to exercise jurisdiction over the related
3 state law claims. Dkt. #79 at 6-11. The Court also dismissed all federal claims
4 against Orange County.

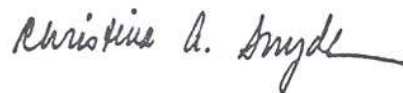
5 By order dated October 30, 2012, the Court dismissed all federal claims
6 against the City of Newport Beach. Dkt. #80.

7 Plaintiff filed a Third Amended Complaint (“TAC”), which alleges claims
8 against Freeman and Schuster for wrongful arrest and excessive bail. By order
9 dated July 29, 2013, the Court granted summary judgment in favor of Freeman and
10 Schuster on all claims except plaintiff’s misdemeanor arrest claims against
11 Freeman. Freeman filed a motion for reconsideration on August 12, 2013, and
12 plaintiff filed an opposition on August 14, 2013. After reconsideration, on
13 September 13, 2013, the Court granted summary judgment in favor of Freeman on
14 all remaining claims.

15 **IT IS ORDERED, ADJUDGED AND DECREED** that:

- 16 1. That Judgment be entered in favor of all Defendants City of Newport
17 Beach, Orange County, Penny Freeman, Neil Schuster and Elizabeth Costello as
18 against Plaintiff Niveen Ismail;
- 19 2. That the entire action be dismissed; and
- 20 3. That Plaintiff Niveen Ismail take nothing and that Defendants
21 City of Newport Beach, Orange County, Penny Freeman, Neil Schuster, and
22 Elizabeth Costello recover their costs of suit in accordance with the Local Rules
23 and Federal Rule of Civil Procedure 54.

24
25
26 DATED September 30, 2013



27 Honorable Christina A. Snyder
28 United States District Court Judge