

1 plaintiffs and in favor of all defendants on this claim.

2 2. **Second Claim for Relief against Defendants Cardenas, Longoria, Merino,**
3 **and Davis pursuant to California Civil Code § 52.1.** Plaintiff Nino Campanella alleged a
4 violation of Section 52.1. The jury returned a verdict against plaintiff Nino Campanella and in favor
5 of all defendants on this claim. Plaintiff Lynette Campanella voluntarily dismissed her Section 52.1
6 claim before the claim was submitted to the jury.

7 3. **Third Claim for Relief against Defendants Cardenas, Longoria, Merino, and**
8 **Davis for Assault and Battery under California state law.** Plaintiffs voluntarily dismissed this
9 claim before submission to the jury.

10 4. **Fourth Claim for Relief against Defendants Cardenas, Longoria, Merino, and**
11 **Davis for Intentional Infliction of Emotional Distress under California state law.** Plaintiffs
12 voluntarily dismissed this claim before it was submitted to the jury.

13 5. **Fifth Claim for Relief against Defendants Cardenas, Longoria, Merino, and**
14 **Davis for False Imprisonment under California state law.** Plaintiffs voluntarily dismissed this
15 claim before it was submitted to the jury.

16 6. **Sixth Claim for Relief against Defendants Cardenas, Longoria, Merino, and**
17 **Davis for Negligence under California state law.** Plaintiffs voluntarily dismissed this claim before
18 it was submitted to the jury.

19 7. **Seventh Claim for Relief against Defendants Cardenas, Longoria, Merino, and**
20 **Davis for Negligent Infliction of Emotional Distress under California state law.** Plaintiffs
21 voluntarily dismissed this claim before it was submitted to the jury.

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23 B. Case No. C 05-1945 First Amended Complaint for Violation of Civil Rights.

24 1. **First Claim for Relief against Defendants Oberlander, Longoria, Merino, and**
25 **Davis pursuant to 42 U.S.C. §1983.** Plaintiffs Nino and Lynette Campanella alleged violations of
26 their civil rights under the Fourth Amendment to be free from unreasonable search, unreasonable
27 seizure (probable cause), and unreasonable seizure (excessive force). Plaintiffs' unreasonable search
28 claim was submitted to the jury. The jury returned a verdict against plaintiffs and in favor of all

1 defendants on this claim. The Court entered a directed verdict on plaintiff Lynette Campanella's
2 unreasonable seizure (probable cause) claim on January 20, 2009, before the claim was submitted to
3 the jury. Plaintiff Nino Campanella's unreasonable seizure (probable cause) claim was submitted to
4 the jury and the jury returned a verdict against him on this claim and in favor of all defendants.
5 Plaintiff Lynette Campanella voluntarily dismissed her unreasonable seizure (excessive force) claim
6 before the matter was submitted to the jury. Plaintiff Nino Campanella voluntarily dismissed
7 defendant Longoria from his unreasonable seizure (excessive force) claim before the matter was
8 submitted to the jury. Plaintiff Nino Campanella's unreasonable seizure (excessive force) claim, as
9 to the remaining defendants, was submitted to the jury which returned a verdict against him on this
10 claim and in favor of all defendants.

11 **2. Second Claim for Relief against Defendant County pursuant to 42 U.S.C. §1983.**

12 The Court dismissed this claim in an Order filed September 20, 2005.

13 **3. Third Claim for Relief against Defendants, Oberlander, Longoria, Merino, and**
14 **Davis pursuant to California Civil Code § 52.1.** Plaintiffs alleged a violation of Section 52.1.

15 The jury returned a verdict against plaintiffs and in favor of all defendants on this claim.

16 **4. Fourth Claim for Relief against Defendants Oberlander, Longoria, Merino, and**
17 **Davis for Assault and Battery under California state law.** Plaintiff Lynette Campanella

18 voluntarily dismissed this claim before it was submitted to the jury. Plaintiff Nino Campanella
19 voluntarily dismissed defendant Longoria before the matter was submitted to the jury. As to the
20 remaining defendants, plaintiff Nino Campanella's claim was submitted to the jury which returned a
21 verdict against him and in favor of all defendants.

22 **5. Fifth Claim for Relief against Defendants Oberlander, Longoria, Merino, and**
23 **Davis for Intentional Infliction of Emotional Distress under California state law.** Plaintiff

24 Lynette Campanella voluntarily dismissed this claim before it was submitted to the jury. Plaintiff
25 Nino Campanella's claim was submitted to the jury which returned a verdict against him and in
26 favor of all defendants.

27 **6. Sixth Claim for Relief against Defendants Oberlander, Longoria, Merino, and**
28 **Davis for False Imprisonment under California state law.** Plaintiff Lynette Campanella

1 voluntarily dismissed this claim before the matter was submitted to the jury. Plaintiff Nino
2 Campanella's claim was submitted to the jury which returned a verdict against him and in favor of
3 all defendants.

4 **7. Seventh Claim for Relief against Defendants Oberlander, Longoria, Merino,**
5 **and Davis for Negligence under California state law.** Plaintiffs claims were submitted to the jury
6 which returned a verdict against both Plaintiffs and in favor of Defendants.

7 **8. Eighth Claim for Relief against Defendants Oberlander, Longoria, Merino, and**
8 **Davis for Negligent Infliction of Emotional Distress under California state law.** Plaintiffs
9 voluntarily dismissed this claim before it was submitted to the jury.

10 IT IS SO ORDERED.

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12 Dated: January 28, 2009



RICHARD SEEBORG
United States Magistrate Judge