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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION**

MARIO V., et al.,
Plaintiffs,
v.
HENRY AMENTA, et al.,
Defendants.

Case No. 18-cv-00041-BLF

**ORDER GRANTING DEFENDANT
GARCIA’S REQUEST FOR ENTRY OF
FINAL JUDGMENT PURSUANT TO
FEDERAL RULE OF CIVIL
PROCEDURE 54(b)**

[Re: ECF 85]

On May 12, 2021, the Court issued an order granting Defendant Diana Garcia’s motion for summary judgment. *See* MSJ Order, ECF 84. On May 13, 2021, Defendant Garcia filed a proposed judgment in her favor. *See* Proposed Judgment, ECF 85. The Court will enter the proposed judgment for the reasons discussed below.

Pursuant to Federal Rule of Civil Procedure 54(b), the Court “may direct entry of a final judgment as to one or more, but fewer than all, claims or parties only if the court expressly determines that there is no just reason for delay.” Fed. R. Civ. P. 54(b). Judgments under Rule 54(b) are “reserved for the unusual case in which the costs and risks of multiplying the number of proceedings and of overcrowding the appellate docket are outbalanced by pressing needs of the litigants for an early and separate judgment as to some claims or parties.” *Morrison-Knudsen Co. v. Archer*, 655 F.2d 962, 965 (9th Cir. 1981). A court considering whether to enter a judgment under Rule 54(b) should consider whether review of that judgment would require the appellate court “to address legal or factual issues that are similar to those contained in the claims still

1 pending before the trial court.” *Id.* “A similarity of legal or factual issues will weigh heavily
2 against entry of judgment under the rule, and in such cases a Rule 54(b) order will be proper only
3 where necessary to avoid a harsh and unjust result, documented by further and specific findings.”
4 *Id.*

5 The Court finds that entry of judgment for Garcia is appropriate under these standards.
6 The issues addressed by this Court in granting summary judgment for Garcia are distinct from the
7 issues to be tried with respect to the claims against the only remaining defendant, Armenta.
8 Defendant Garcia, a public school principal, has had this lawsuit hanging over her head since
9 2018. Based on the evidence presented at summary judgment, Garcia had no involvement in the
10 shocking events that led to this lawsuit, and she is entitled to a judgment exonerating her in the
11 eyes of her community. Accordingly, the Court finds that there is no just reason for delay in
12 entering judgment for Garcia in this case.

13 Garcia’s request for entry of final judgment in her favor is GRANTED. Garcia’s proposed
14 judgment shall be entered concurrently with the present order.

15 **IT IS SO ORDERED.**

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17 Dated: May 20, 2021

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BETH LABSON FREEMAN
20 United States District Judge
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