

Trial in "DG" Lawsuit to Hold the LAPD and Former Police Chief Charlie Beck Liable for Officer's Police Brutality by Promoting the Officer After a Federal Court Jury's Verdict for Malicious Civil Rights Violations

April 15, 2019 – Los Angeles, CA – A Federal Judge issued a monumental decision late Friday, April 12th, holding a jury would decide whether Police Chief Charlie Beck and the Los Angeles Police Department can be held liable for the actions of an officer who used excessive force and acted with malice according to a Los Angeles Federal Court Jury. Remarkably, within weeks of a trial in which even the Los Angeles City Attorney had to concede to the jury that the Officer acted with malice, Chief Beck promoted Officer Mario Cardona to Sergeant.

On Friday, Hon. Stephen V. Wilson granted the plaintiff's new motion for reconsideration of the court's prior summary judgment order on the Monell ruling. Mr. DeSimone requested that the Court vacate the judgment entered in favor of the City of Los Angeles and Chief Beck and that "DG" be permitted to proceed to trial against the City of Los Angeles and Chief Beck for ratification of Mario Cardona's unconstitutional conduct and Judge Wilson agreed.

In 2017, a jury ruled in favor of "DG" in a civil lawsuit and found the Officer Mario Cardona used excessive force in an off-duty attack on "DG" during which he asserted his police authority. Officer Cardona punched "DG" in the face and forced him to the ground; video showed Cardona using a pain compliance wrist-lock to cause even further pain when "DG" was handcuffed, not resisting and prone on the ground. A jury awarded "DG" \$210,000 and Judge Wilson approved another \$663,000 in attorney's fees. Judge Wilson initially ruled that only Cardona would be held liable and

dropped Beck and the LAPD from the suit. The City refused to indemnify the Officer and he filed for bankruptcy.

However, V. James DeSimone, DG's attorney, proved that just weeks after the L.A. City Attorney stated Cardona acted with malice and the jury came back with a six-figure verdict, then-Chief Beck promoted Cardona to Sergeant. This promotion, Mr. DeSimone argues, should be grounds to hold both the former police chief and the City of Los Angeles responsible for Cardona's actions. A new Federal Court jury will decide this issue.

"DG" is a fine young man who was guilty of absolutely nothing when Officer Cardona viciously attacked him while "DG" was in his own front yard," said Mr. DeSimone. "Making matters worse, Chief Beck promoted him less than a month after a jury found Cardona guilty, spitting in the face of the justice system and putting his rubber stamp on this officer's actions!"

The case is "DG" v. City of Los Angeles, Mario Cardona, Charlie Beck, United States District Court, Case No. 2:16-CV-03579-SVW-AFM. "DG" is represented by V. James DeSimone and co-counsel Kaveh Navab of Navab Law.

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