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**UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF CALIFORNIA**

JEFFREY POWERS, *et al.*,

Plaintiffs,

vs.

DENIS RICHARD MCDONOUGH, in
his official capacity, Secretary of
Veterans Affairs, *et al.*,

Defendants,

BRIDGELAND RESOURCES, LLC,

Intervenor.

Case No.: 2:22-cv-08357-DOC-KS

**FINAL JUDGMENT AND
PERMANENT INJUNCTION**

TRIAL DATE: AUGUST 6, 2024

TIME: 8:30 AM

DEPT: 1

FINAL JUDGMENT OF PERMANENT INJUNCTION
AND OTHER RELIEF

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3 Plaintiffs in this case are Joseph Fields, Lavon Johnson, National Veterans
4 Foundation, Joshua Robert Petitt, Jeffrey Powers, Deavin Sessom and Laurieann
5 Wright (“Plaintiffs”). They bring claims on behalf of a certified Class consisting of
6 “all homeless veterans with Serious Mental Illness [SMI] or Traumatic Brain Injuries
7 [TBI], who reside in Los Angeles County and homeless veterans who have been or
8 remain unhoused or are at risk of being unhoused and a Subclass consisting of “all
9 Class Members whose income (including veterans disability benefits) exceeds 50
10 percent of the Area Median Income.” (ECF No. 190, at 3).

11 Plaintiffs’ operative Amended Complaint was filed on May 15, 2023. (ECF
12 No, 33). On April 5, 2024, Complainant-in-Intervention BRIDGELAND
13 RESOURCES, LLC (“Bridgeland”) filed its operative Complaint in Intervention for
14 declaratory relief against Plaintiffs. (ECF No. 172). The Court certified the Class and
15 Subclass on May 3, 2024. (ECF No. 190). On July 14, 2024, the Court granted partial
16 summary judgment in favor of Plaintiffs. (ECF No. 218). The Court conducted a bench
17 trial that began on August 6, 2024 and concluded on August 30, 2024. On September
18 6, 2024, the Court filed its “POST-TRIAL OPINION; FINDINGS OF FACT &
19 CONCLUSIONS OF LAW” (“Post-Trial Opinion”) (ECF No. 302). Consistent with
20 the Court's prior opinions and orders, including its Post-Trial Opinion, this final
21 judgment resolves all claims pursuant to Federal Rule of Civil Procedure 58.

I.

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23 IT IS ORDERED, ADJUDGED AND DECREED, for the reasons set forth in
24 the Court’s prior opinions and orders, including its Post-Trial Opinion, that judgment
25 be entered in favor of Plaintiffs and the certified Class and Subclass on the First
26 through Third Causes of Action against Defendants DENIS RICHARD
27 MCDONOUGH, in his official capacity, Secretary of Veterans Affairs; ROBERT
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1 MERCHANT, in his official capacity, Director, VA Greater Los Angeles Healthcare
2 System, KEITH HARRIS, in his official capacity, Senior Executive Homelessness
3 Agent, VA Greater Los Angeles Healthcare System, and ADRIANNE TODMAN, in
4 her official capacity, Acting Secretary of Housing and Urban Development; that
5 judgment be entered in favor of Plaintiffs and the certified Class and Subclass on the
6 Fourth and Sixth Causes of Action against Defendants MCDONOUGH,
7 MERCHANT, and HARRIS, in their official capacities; and that judgment be entered
8 in favor of Defendants MCDONOUGH, MERCHANT, and HARRIS, in their official
9 capacities, on the Fifth Cause of Action. The Court also enters judgment for Plaintiffs
10 and the certified Class and Subclass on the Seventh Cause of Action against
11 Defendants MCDONOUGH, MERCHANT, AND HARRIS, in their official
12 capacities, regarding only the Safety Park lease (see ECF No. 310), and for Defendants
13 MCDONOUGH, MERCHANT, and HARRIS, in their official capacities, on the
14 Seventh Cause of Action in all other respects. Finally, the Court enters judgment for
15 Plaintiffs and the certified Class and Subclass against BRIDGELAND on the First
16 Cause of Action contained in Bridgeland's Complaint in Intervention.

17 II.

18 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that Defendants
19 DENIS RICHARD MCDONOUGH, in his official capacity, Secretary of Veterans
20 Affairs; ROBERT MERCHANT, in his official capacity, Director, VA Greater Los
21 Angeles Healthcare System, and KEITH HARRIS, in his official capacity, Senior
22 Executive Homelessness Agent, VA Greater Los Angeles Healthcare System, and
23 Defendant Adrienne Todman, in her official capacity, Secretary, Department of
24 Housing and Urban Development violated Section 504 of the Rehabilitation Act of
25 1973, 29 U.S.C. § 794, and their respective successors, are hereby permanently
26 enjoined, and prohibited from engaging in conduct, consistent with the terms of
27 Paragraph 251 subparagraphs c, d, e, f, g, i, j, k, l, m and o of the Court's Post-Trial
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1 Opinion. All other subparagraphs of Paragraph 251 are here formally entered by the
2 Court as part of this judgment as to Defendants McDonough, Merchant, and Harris.”

3 III.

4 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that, based upon
5 the foregoing and the Court’s further hearing on injunctive relief that occurred on
6 September 25, 2024, September 26, 2024, October 2, 2024, October 4, 2024, October
7 7, 2024, October 8, 2024 and October 11, 2024 that the following orders are entered as
8 part of this Judgment:

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|----|-----------------------|-------------|
| 9 | 1. UCLA ORDER | ECF No. 309 |
| 10 | 2. SAFETY PARK ORDER | ECF No. 310 |
| 11 | 3. BRIDGELAND ORDER | ECF No. 311 |
| 12 | 4. EMERGENCY ORDER #1 | ECF No. 341 |
| 13 | 5. EMERGENCY ORDER #2 | ECF No. 342 |
| 14 | 6. VA INJUNCTION | ECF No. 357 |

15 IV.

16 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that, based on
17 the foregoing and the Court’s further hearings on injunctive relief regarding
18 Brentwood School, the settlement agreement between the Plaintiff Class and non-party
19 Brentwood School is set for a preliminary approval hearing on October 18, 2024 at 8
20 am and the Court will conduct a fairness hearing on November 13, 2024 at 8 am. If the
21 Court grants both preliminary approval of this settlement and issues a fairness hearing
22 order, those orders shall be merged into this judgment without the necessity for further
23 separate judgment or order.

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25 V.

26 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that John
27 Hueston and Michelle Martinez are hereby appointed in accordance with the Court’s
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1 Order Appointing Special Monitor entered on September 11, 2024 (ECF No. 304) to
2 ensure timely and comprehensive compliance with this Judgment, which includes
3 injunctive relief in the form of additional housing at the West LA VA Grounds and
4 termination of unlawful land-use agreements.

5 VI.

6 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that:

7 This permanent injunction takes effect immediately, all injunction compliance
8 deadlines referred to in the Court's Post-Trial Opinion; Findings of Fact &
9 Conclusions of Law shall run from the date of this judgment except as to Orders
10 contained in ECF Nos. 309, 310, 311, 341 and 342 and the Court retains jurisdiction
11 over this action until 2030 or until VA completes the construction of Permanent
12 Supportive Housing identified in the Court's Post-Trial Opinion, whichever is later for
13 the purpose of enforcing this final judgment and permanent injunction.

14 VII.

15 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the deadline
16 for any of the parties to move for an award of attorney's fees and costs shall be 30 days
17 after expiration of the time for any appeal or petition for a writ of certiorari to be filed
18 and, if an appeal or petition for writ of certiorari is filed, until 30 days after the
19 disposition of any appeal or petition for a writ of certiorari.

20 IT IS SO ORDERED.

21 SIGNED and ENTERED this 11th day of October, 2024

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DAVID O. CARTER
25 UNITED STATES DISTRICT JUDGE
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