

FEB 05 2009

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U.S. COURT OF APPEALS

NOT FOR PUBLICATION
UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

JIM TATREAU,

Plaintiff,

and

**RICHARD BONNEAU; RICHARD
WEMMER,**

Plaintiffs - Appellants,

v.

**CITY OF LOS ANGELES; BERNARD
PARKS, in his individual and official
capacity as Chief of Police,**

Defendants - Appellees,

and

**LOS ANGELES POLICE
DEPARTMENT,**

Defendant.

No. 07-56091

D.C. No. CV-02-06436-AWT

MEMORANDUM*

Appeal from the United States District Court
for the Central District of California

* This disposition is not appropriate for publication and is not precedent except as provided by 9th Cir. R. 36-3.

A. Wallace Tashima, Senior Circuit Judge, Presiding

Argued and Submitted January 14, 2009
Pasadena, California

Before: **KOZINSKI**, Chief Judge, **TROTT** and **KLEINFELD**, Circuit Judges.

The district court did not abuse its discretion by declining to impose terminating sanctions. The court properly considered and implemented the less serious alternative of excluding evidence. Leon v. IDX Sys. Co., 464 F.3d 951, 958 (9th Cir. 2006). Nor did the court abuse its discretion by not instructing Parks to give short answers. The form of the questions made it reasonable to permit leeway in answering. In all of these matters, district courts have very broad discretion; the judge here didn't come anywhere near abusing it. See Anheuser-Busch, Inc. v. Natural Beverage Distribs., 69 F.3d 337, 348 (9th Cir. 1995).

AFFIRMED.