

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION

ATA AIRLINES, INC.,)	
Plaintiff,)	
)	
vs.)	1:08-cv-0785-RLY-DML
)	
FEDERAL EXPRESS CORP.,)	
Defendant.)	

AMENDED FINAL JUDGMENT

On October 19, 2010, the jury returned a verdict in this case in favor of the plaintiff, ATA Airlines, Inc. (“ATA”), and against the defendant, Federal Express Corporation (“FedEx”). The court accepted that verdict, and, on October 21, 2010, the Clerk issued a “Judgment in a Civil Case” (the “Judgment”). Because the Judgment lacked terms necessary to make the Judgment final, the court now enters this Amended Final Judgment as set forth below.

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED that:

1. Judgment is entered on the jury’s verdict for ATA and against FedEx;
2. ATA shall recover from FedEx compensatory damages in lost profits of \$21,999,470.00 for government fiscal year 2008, and \$43,998,941.00 for government fiscal year 2009, for a total of \$65,998,411.00 in compensatory damages.
3. ATA shall recover from FedEx a prejudgment interest rate of 3.25% per

annum, simple interest, as follows:

- a. The sum of \$5,326,132.03, representing: (i) interest from April 3, 2008, until January 24, 2011, on the jury's fiscal year 2008 damages award; and (ii) interest from October 1, 2008, until January 24, 2011, on the jury's fiscal year 2009 damages award; and
 - b. Additional prejudgment interest at the rate of \$1,958.86 per day on the jury's fiscal year 2008 damages award; and \$3,917.71 per day on the jury's fiscal year 2009 damages award, until the day before the entry of this Amended Final Judgment as provided by law.
4. Judgment is entered for ATA and against FedEx in the amount of \$71,324,543.03, which sum is made up of the following amounts: (i) \$65,998,411.00 in compensatory damages as identified above; (ii) \$5,326,132.03 in prejudgment interest on the award of the compensatory damages as calculated above; and (iii) the additional per diem interest noted above as accruing from January 24, 2011, until the day before the entry of this Amended Final Judgment.

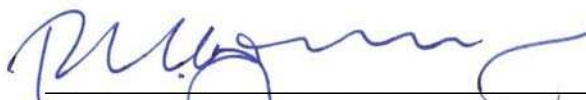
IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that all court costs are hereby taxed against FedEx and that ATA shall recover court costs as provided by law.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that ATA is entitled to post-judgment interest on the entire judgment, including compensatory

damages, prejudgment interest, and court costs, at the rate of 0.27% per annum, compounded annually, as provided by law.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that all writs and processes for enforcement and collection of this judgment or the costs of court may issue as necessary.

SO ORDERED this 25th day of January 2011.



RICHARD L. YOUNG, CHIEF JUDGE
United States District Court
Southern District of Indiana

Laura Briggs, Clerk
United States District Court



By: Deputy Clerk

Electronic Copies to:

Peter D. Blumberg
FEDERAL EXPRESS CORPORATION
peter.blumberg@fedex.com

Kenneth E. Broughton
HAYNES AND BOONE, LLP
kenneth.broughton@haynesboone.com

Michael E. Gabel
FEDEX LEGAL DEPARTMENT
megabel@fedex.com

M. Kimberly Hodges
FEDEX LEGAL DEPARTMENT
kim.hodges@fedex.com

John David Hoover
HOOVER HULL LLP
jdhoover@hooverhull.com

Don R. Hostetler
HOOVER HULL LLP
dhostetler@hooverhull.com

Thomas E. Kurth
HAYNES AND BOONE, LLP
thomas.kurth@haynesboone.com

Alice McKenzie Morical
HOOVER HULL LLP
amorical@hooverhull.com

George E. Purdy
BOSE MCKINNEY & EVANS, LLP
gpurdy@boselaw.com

Robert R. Ross
FEDERAL EXPRESS CORPORATION
rrross@fedex.com

W. Alan Wright
HAYNES AND BOONE, LLP
alan.wright@haynesboone.com