

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
JONESBORO DIVISION**

RAY NASSAR and GENA SMITH,

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Plaintiffs

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V.

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NO: 3:11CV00133 SWW

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EARNESTINE JACKSON, individually
and in her official capacity as a Hughes
School Board Member, ET AL.

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Defendants

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JUDGMENT ON JURY VERDICT

This action came on for trial on January 14, 2013, before a jury, the Honorable Susan Webber Wright, United States District Court Judge, presiding. The issues having been duly tried and the jury having rendered its verdicts on claims of plaintiffs Gena Smith and Ray Nassar--by answering Interrogatories #1 and #2 on the procedural due process claim by Gena Smith against the Hughes School District; Interrogatories #4, #5, #6, and #7, #8 on the race discrimination claims by Gena Smith against the Hughes School District; Interrogatories #8 and #9 on the breach of contract claim by Gena Smith against the Hughes School District; Interrogatories #10, #11, #12 on the defamation claim by Gena Smith against Earnestine Jackson; Interrogatories #1 and #3 on the procedural due process claims by Ray Nassar against the Hughes School District; Interrogatories #4, #5, #6, #7, and #8 on the race discrimination claims by Ray Nassar against the Hughes School District and Earnestine Jackson; Interrogatories #9, #10 on the breach of contract claim of Ray Nassar against the Hughes School District; and Interrogatories #11, #12,

#13, #14, #15, and #16 on the defamation claims of Ray Nassar against Earnestine Jackson and Jimmy Wilkins—now therefore, pursuant to those answers,

IT IS ORDERED AND ADJUDGED that plaintiff Gena Smith has proved the elements of her claims for deprivation of property without procedural due process, against defendant Hughes School District; race discrimination based on wrongful discharge against defendant Hughes School District; breach of contract against defendant Hughes School District; and defamation against defendant Earnestine Jackson.

IT IS FURTHER ORDERED AND ADJUDGED that plaintiff Ray Nassar has proved the elements of his claims for deprivation of property without procedural due process against defendant Hughes School District; race discrimination based on wrongful discharge against defendants Hughes School District and Earnestine Jackson; breach of contract against defendant Hughes School District; defamation against defendant Earnestine Jackson; and defamation against defendant Jimmy Wilkins.

IT IS THEREFORE ORDERED AND ADJUDGED that (1) plaintiff Gena Smith have and recover \$86,541 in compensatory damages from defendant Hughes School District and \$2,500 in compensatory damages and \$5,000 in punitive damages from defendant Earnestine Jackson—plus post-judgment interest to accrue at the rate of .14% per annum and (2) plaintiff Ray Nassar have and recover \$360,001 in compensatory damages from defendants Hughes School District and Earnestine Jackson, jointly and severally; \$2,500 in compensatory damages and \$10,000 in punitive damages against defendant Earnestine Jackson, individually; and \$16,000 in compensatory damages and \$4,000 in punitive damages against Defendant Jimmy

Wilkins, individually—plus post-judgment interest to accrue at the rate of .14% per annum.¹

IT IS SO ORDERED THIS 24TH DAY OF JANUARY, 2013.

/s/Susan Webber Wright
UNITED STATES DISTRICT JUDGE

¹Court's Instruction No. 29 and several reminders contained on the verdict forms instructed the jury that plaintiffs could collect only one award for the loss of wages and benefits. The verdict forms show that the jury awarded both plaintiffs damages for lost wages and benefits under their claims for deprivation of due process, wrongful discharge, and breach of contract. However, in accordance with the Court's instructions, the jury recorded the amount awarded for lost wages and benefits only once.