

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
WESTERN DIVISION

MARTIN O. MAIZE, SR.

PLAINTIFF

v.

No. 4:09-cv-399-DPM

HAWKER BEECHCRAFT
CORPORATION

DEFENDANT

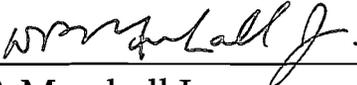
JUDGMENT

The Court, in an earlier order, dismissed without prejudice Mr. Maize's hostile-work-environment and section 1981 claims. *Document No. 128*. This left three claims for trial: Mr. Maize's Title VII race-discrimination claim, his ADEA age-discrimination claim, and his FMLA-retaliation claim. The parties tried these claims to a twelve-person jury from 23 January 2012 to 26 January 2012. After deliberations, on 26 January 2012, the jury returned a verdict in favor of Hawker Beechcraft on all three claims. The verdict forms are attached and incorporated.

On the race-discrimination claim, the age-discrimination claim, and the FMLA-retaliation claim, the Court enters judgment on the jury's verdict for Hawker Beechcraft and against Mr. Maize. Mr. Maize's Amended Complaint, *Document No. 76*, is therefore dismissed with prejudice.

During the trial, Hawker Beechcraft moved for judgment as a matter of law on all claims at the end of Mr. Maize's case. The Court denied the motion. Hawker Beechcraft renewed its motion at the end of all the proof. The Court took the motion under advisement. In light of the jury's verdict, the Court denies Hawker Beechcraft's renewed motion for judgment as moot.

So Ordered.



D.P. Marshall Jr.
United States District Judge

27 January 2012

RACE-DISCRIMINATION CLAIM

Question No. 1: Has Mr. Maize proved that he was meeting Hawker Beechcraft's legitimate job expectations?

_____ Yes No

FILED
U. S. DISTRICT COURT
EASTERN DISTRICT ARKANSAS
JAN 26 2011
JAMES W. MCCORMACK, CLERK
By: *[Signature]*
DEP. CLERK

If you answered Question No. 1 "Yes," then answer Question No. 2. If you answered Question No. 1 "No," then your deliberations on this claim are done and the Foreperson should sign this form.

Question No. 2: Has Mr. Maize proved that his race was a motivating factor in Hawker Beechcraft's decision?

_____ Yes _____ No

If you answered Question No. 2 "Yes," then answer Question No. 3. If you answered Question No. 2 "No," then your deliberations on this claim are done and the Foreperson should sign this form.

AGE-DISCRIMINATION CLAIM

Question No. 1: Has Mr. Maize proved that he met the applicable job qualifications?

_____ Yes No

If you answered Question No. 1 "Yes," then answer Question No. 2. If you answered Question No. 1 "No," then your deliberations on this claim are done and the Foreperson should sign this form.

Question No. 2: Has Mr. Maize proved that but for his age, Hawker Beechcraft would not have discharged him?

_____ Yes _____ No

If you answered Question No. 2 "Yes," then answer Question No. 3. If you answered Question No. 2 "No," then your deliberations on this claim are done and the Foreperson should sign this form.

Question No. 3: What are the amount of Mr. Maize's damages (as that term is defined in Instruction No. 11) for Hawker Beechcraft's decision to discharge him on the basis of his age?

Wages & fringe benefits: \$ _____

If you were instructed to answer, and actually answered, Question No. 3, then answer Question No. 4.

Question No. 4: Was Hawker Beechcraft's conduct "willful" as defined in Instruction No. 12?

_____ Yes _____ No

Matthew B. [Signature]
Foreperson

1-26-12 3:08 pm
Date/Time

FMLA-RETALIATION CLAIM

Question No. 1: Has Mr. Maize proved that his decision to take authorized FMLA leave was a motivating factor in Hawker Beechcraft's decision to discharge him?

_____ Yes No

If you answered Question No. 1 "Yes," then answer Question No. 2. If you answered Question No. 1 "No," then your deliberations on this claim are done and the Foreperson should sign this form.

Question No. 2: Has Hawker Beechcraft proved that it would have discharged Mr. Maize regardless of his decision to take authorized FMLA leave?

_____ Yes _____ No

If you answered Question No. 2 "No," then answer Question No. 3. If you answered Question No. 2 "Yes," then your deliberations on this claim are done and the Foreperson should sign the form.

Question No. 3: What are the amount of Mr. Maize's damages (as that term is defined in Instruction No. 15) for Hawker Beechcraft's decision to discharge him in retaliation for taking authorized FMLA leave?

Wages & fringe benefits: \$ _____

If you were instructed to answer, and actually answered, Question No. 3, then answer Question No. 4.

Question No. 4: Did Hawker Beechcraft act in good faith, meaning did the company reasonably believe that its actions complied with the Family and Medical Leave Act?

_____ Yes _____ No

Matthew B. [Signature]
Foreperson

1-26-12 3:00 pm
Date/Time