

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
HOT SPRINGS DIVISION

WAYNE JACKSON

PLAINTIFF

v.

Civ. No. 12-6008

CITY OF HOT SPRINGS

DEFENDANT

AMENDED JUDGMENT

On the 9th day of January 2013, this matter came on for trial to a duly selected jury consisting of eight members, the Honorable Robert T. Dawson presiding. The trial continued until January 10, 2013, when the case was submitted to the jury on interrogatories. The jury returned a unanimous verdict finding that Plaintiff's use of medical leave was a determining factor in Defendant's decision not to hire Plaintiff; and that Defendant acted in good faith when it did not hire Plaintiff. The jury awarded Plaintiff Fifty Six Thousand Dollars (\$56,000.00) for lost wages, fringe benefits, etc., and Twenty Five Thousand Dollars (\$25,000.00) for mental anguish, pain and suffering, etc.

For the reasons set out in the Court's previous Order (doc. 41) and the Amended Memorandum Opinion and Order filed contemporaneously herewith, Plaintiff is awarded:

1. Fifty Six Thousand Dollars (\$56,000.00) in damages¹;
2. Sixty Thousand Dollars (\$60,000.00) as front pay in lieu of reinstatement;
3. Three Hundred Forty One Dollars and Twenty Five Cents (\$341.25) as prejudgment interest²;
4. Eighteen Thousand Sixty Dollars (\$18,060.00) for attorney's fees; and
5. Seven Hundred Forty Four Dollars and Forty Four Cents (\$744.44) for costs.

IT IS THEREFORE ORDERED AND ADJUDGED that Plaintiff Wayne Jackson should have and recover of and from Defendant City of Hot Springs \$135,145.69, plus interest from the date of this order until paid at the post-judgment interest rate of .17% per annum. Each party is to bear its own fees and costs. **The parties have thirty (30) days from entry of this amended judgment on the docket in which to appeal.**

IT IS SO ORDERED this 7th day of March, 2013.

/s/ Robert T. Dawson
Robert T. Dawson
United States District Judge

¹ As set out in the order filed contemporaneously, the Court remits the \$25,000.00 awarded for mental anguish, pain and suffering, etc.

² Prejudgment interest is calculated as set out in paragraph B of the Court's previous Order (doc. 41) and equates to \$341.25.