

JS-6

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

ROBERT M. WARD, ROBERT E.
JONES, JOSE M. VALADEZ, LEONARD
TALTON, GARY SUHAY, and
ALFONSO W. JANUARY,

Plaintiffs,

v.

CADBURY SCHWEPPE'S BOTTLING
GROUP, CADBURY SCHWEPPE'S
HOLDINGS INC., 7-UP/RC BOTTLING
COMPANY OF SOUTHERN
CALIFORNIA, DR PEPPER SNAPPLE
GROUP, AMERICAN BOTTLING
COMPANY,

Defendants.

Case No. CV 09-3279-DMG (CWx)

JUDGMENT

This action having been tried before the Court sitting with a jury; the issues having been duly tried; the jury having duly rendered its verdict; and the Court having, thereafter, granted offsets and modifications to the jury's verdict,

IT IS ORDERED, ADJUDGED AND DECREED that Plaintiffs shall recover the following sums from Defendants:


1. Plaintiff Robert M. Ward shall have and recover the total sum of \$3,275,000.00 as follows:

- 1 a. Against Defendants The American Bottling Company and Dr Pepper
2 Snapple Group, Inc., jointly and severally, the sum of \$1,475,000.00,
3 comprised of: (1) \$133,000.00 for past income; (2) \$1,000,000.00 for
4 past and future physical pain, mental suffering, loss of enjoyment of
5 life, inconvenience, grief, humiliation, and emotional distress; and (3)
6 \$342,000.00 for past and future physical impairment, including
7 psyche, hypertension, stomach, sleeplessness, anxiety, and chest pain;
8 and
- 9 b. Against Defendant Dr Pepper Snapple Group, Inc., the sum of
10 \$1,800,000.00 for punitive damages.
- 11 2. Plaintiff Robert E. Jones shall have and recover the total sum of
12 \$2,258,000.00 as follows:
- 13 a. Against Defendants The American Bottling Company and Dr Pepper
14 Snapple Group, Inc., jointly and severally, the sum of \$1,044,000.00,
15 comprised of: (1) \$44,000.00 for past income; (2) \$1,000,000.00 for
16 past and future physical pain, mental suffering, loss of enjoyment of
17 life, inconvenience, grief, anxiety, humiliation, and emotional distress;
18 and
- 19 b. Against Defendant Dr Pepper Snapple Group, Inc., the sum of
20 \$1,214,000.00 for punitive damages.
- 21 3. Plaintiff Gary Suhay shall have and recover the total sum of \$2,798,422.98
22 as follows:
- 23 a. Against Defendants The American Bottling Company and Dr Pepper
24 Snapple Group, Inc., jointly and severally, the sum of \$1,256,422.98,
25 comprised of: (1) \$57,112.98 for past income; (2) \$1,000,000.00 for
26 past and future physical pain, mental suffering, loss of enjoyment of
27 life, inconvenience, grief, anxiety, humiliation, and emotional distress;

- 1 and (3) \$199,310.00 for past and future physical impairment,
2 including hernia and shoulder surgeries; and
- 3 b. Against Defendant Dr Pepper Snapple Group, Inc., the sum of
4 \$1,542,000.00 for punitive damages.
- 5 4. Plaintiff Jose M. Valadez shall have and recover the total sum of
6 \$3,610,182.57 as follows:
- 7 a. Against Defendants The American Bottling Company and Dr Pepper
8 Snapple Group, Inc., jointly and severally, the sum of \$1,567,182.57,
9 comprised of: (1) \$92,048.57 for past income; (2) \$1,000,000.00 for
10 past and future physical pain, mental suffering, loss of enjoyment of
11 life, inconvenience, grief, anxiety, humiliation, and emotional distress;
12 and (3) \$475,134.00 for past and future physical impairment,
13 including right knee surgery; and
- 14 b. Against Defendant Dr Pepper Snapple Group, Inc., the sum of
15 \$2,043,000.00 for punitive damages.
- 16 5. Plaintiff Leonard Talton shall have and recover the total sum of
17 \$2,897,000.00 as follows:
- 18 a. Against Defendants The American Bottling Company and Dr Pepper
19 Snapple Group, Inc., jointly and severally, the sum of \$1,144,000.00,
20 comprised of: (1) \$144,000.00 for past income; (2) \$800,000.00 for
21 past and future physical pain, mental suffering, loss of enjoyment of
22 life, inconvenience, grief, anxiety, humiliation, and emotional distress;
23 and (3) \$200,000.00 for past and future physical impairment,
24 including back and stress; and
- 25 b. Against Defendant Dr Pepper Snapple Group, Inc., the sum of
26 \$1,753,000.00 for punitive damages.
- 27 6. Plaintiff Alfonso W. January shall have and recover the total sum of
28 \$2,382,540.07 as follows:

- 1 a. Against Defendants The American Bottling Company and Dr Pepper
2 Snapple Group, Inc., jointly and severally, the sum of \$1,047,140.07,
3 comprised of: (1) \$139,330.72 for past income; (2) \$800,000.00 for
4 past and future physical pain, mental suffering, loss of enjoyment of
5 life, inconvenience, grief, anxiety, humiliation, and emotional distress;
6 and (3) \$107,809.35 for past and future physical impairment,
7 including shoulder, stress and strain; and
8 b. Against Defendant Dr Pepper Snapple Group, Inc., the sum of
9 \$1,335,400.00 for punitive damages.

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11 DATED: February 23, 2012

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13 DOLLY M. GEE
14 UNITED STATES DISTRICT JUDGE
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