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16 IN THE UNITED STATES DISTRICT COURT
17 FOR THE EASTERN DISTRICT OF CALIFORNIA
18 FRESNO DIVISION

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20 MARIA ESCRIBA,
Plaintiff,
21
22 vs.
23 FOSTER POULTRY FARMS,
A CALIFORNIA CORPORATION,
24 Defendant.

Case No. 1:09-CV-01878-OWW-MJS
ORDER ON PLAINTIFF'S
POST TRIAL MOTIONS

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26 THIS MATTER is before the Court on Plaintiff's Renewed Motion for Judgment as a Matter of
27 Law, Alternative Motion For New Trial, and Motion To Amend The Judgment (dkt. 221). The Court has
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1 reviewed both parties' briefs and, for the reasons set forth in its memorandum order filed on September
2 29, 2011 (dkt. 241), the Court orders as follows:

3 1. The evidence was sufficient to support the jury's verdict in all respects. Plaintiff's Rule 50
4 motion for judgment as a matter of law accordingly is **DENIED**.

5 2. The verdict was not against the clear weight of the evidence, and Plaintiff's evidentiary
6 objection provides no basis for a new trial. Plaintiff's Rule 59(a) motion for a new trial accordingly is
7 **DENIED**.

8 3. Plaintiff's Rule 59(e) motion to alter or amend the judgment to reflect that she is the
9 prevailing party under California law solely with respect to her claim for unpaid accrued vacation time
10 and the associated waiting time penalty is **GRANTED**.

11 4. Defendant is the prevailing party in all other respects and accordingly is entitled to recover,
12 at minimum, costs of the suit.

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15 IT IS SO ORDERED.

16 Dated: September 30, 2011

/s/ Oliver W. Wanger
UNITED STATES DISTRICT JUDGE

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