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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

PATRIOT RAIL CORP.,

Plaintiff,

v.

SIERRA RAILROAD CO.,

Defendant.

AND RELATED COUNTERCLAIMS

No. 2:09-cv-0009-TLN-AC

ORDER

The following Order has been issued to clarify this Court's previous Order and Judgment entered on October 23, 2014. (See ECF Nos. 522 and 523.) This Amended Order does not modify the date of judgment. Thus, any post-trial motions should be filed accordingly.

This action came on for trial on March 10, 2014, in Courtroom 2 of the above-entitled Court, the Honorable Troy L. Nunley, United States District Judge, presiding. A jury of eight persons was regularly impaneled and sworn to try the action. Witnesses were sworn and examined. After hearing the evidence, the arguments of counsel, and instructions of the Court, the jury retired to consider its verdict, subsequently returned to Court, and being called, duly rendered its verdict in writing. The jury's verdict forms are hereby incorporated by reference.

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1 Pursuant to the jury's verdicts in the compensatory and punitive phases of trial, and the
2 Court's decisions on the post-trial motions brought by Sierra Railroad Company ("Sierra"),
3 Patriot Rail Corp. (now Patriot Rail Company LLC), and Patriot Rail LLC (now Pacific Rail
4 LLC) (and collectively, "Patriot"), the Court HEREBY ENTERS JUDGMENT AS FOLLOWS:

5 1. JUDGMENT is entered in favor of Sierra and against Patriot Rail Corp. (aka
6 Patriot Rail Company LLC) on all of Patriot Rail Corp.'s claims against Sierra;

7 2. JUDGMENT is entered in favor of Sierra and against Patriot Rail Corp. (aka
8 Patriot Rail Company LLC) and Patriot Rail LLC (aka Pacific Rail LLC) on all of Sierra's
9 counterclaims tried to the jury, with compensatory damages awarded in Sierra's favor, jointly and
10 severally against Patriot, in the amount of \$22,282,000;

11 3. JUDGMENT is entered against Patriot Rail Corp. (aka Patriot Rail Company
12 LLC), severally, in the additional amount of \$16,200,000 in punitive damages for Sierra's
13 intentional interference claim in accordance with the jury's verdict;

14 4. JUDGMENT is entered against Patriot Rail LLC (aka Pacific Rail LLC), severally,
15 in the additional amount of \$1,200,000 in punitive damages for Sierra's intentional interference
16 claim, in accordance with the jury's verdict;

17 5. JUDGMENT is entered against Patriot Rail Corp. (aka Patriot Rail Company
18 LLC), severally, in the additional amount of \$13,144,465 in exemplary damages for Sierra's
19 misappropriation of trade secrets claim, in accordance with the Court's order dated October 23,
20 2014;

21 6. JUDGMENT is entered against Sierra on its request for prejudgment interest;

22 7. JUDGMENT is entered against Sierra on its claim of unfair competition against
23 Patriot pursuant to California Business and Professions Code Section 17200 et seq.; and

24 This case remains open in order that the parties may bring appropriate post-judgment
25 motions, such as motions for attorneys' fees, new trial and costs. Such motions must conform to
26 the Local Rules and adhere to the page limits previously set by this Court. Additionally, the
27 Court sets the briefing schedule as to Patriot's already filed motion for new trial as follows:

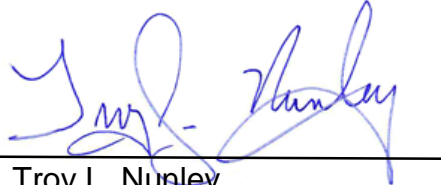
28 8. Sierra's Opposition is due December 19, 2014.

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9. Patriot's Reply is due January 23, 2015.

IT IS SO ORDERED.

Dated: October 30, 2014



Troy L. Nunley
United States District Judge