

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO  
Senior District Judge Richard P. Matsch

Civil Action No. 08-cv-02040-RPM

JULIE DOWNEY,

Plaintiff,

v.

UNIVERSITY OF COLORADO HOSPITAL AUTHORITY,

Defendant.

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ORDER CONCERNING ECONOMIC DAMAGES

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Upon review of the trial briefs, filed today, the Court has determined that the role of the jury in this trial will be to determine whether there is liability under the ADA for failure to provide a reasonable accommodation for the plaintiff's disability and, if so, what compensatory damages have been sustained. The Court will determine economic losses, back pay and front pay as equitable remedies, based upon the jury's verdict. Accordingly, evidence concerning mitigation and the effect of long-term disability benefits are matters to be decided by the Court after an additional evidentiary hearing, as may be necessary, with the Court relying on the jury verdict including facts which may be implicit in the jury's determinations.

It is SO ORDERED.

Dated: November 19<sup>th</sup>, 2010

BY THE COURT:

s/Richard P. Matsch

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Richard P. Matsch, Senior District Judge