

**UNITED STATES DISTRICT COURT  
DISTRICT OF COLORADO**

**Civil Action No. 11-cv-542 JAP-KLM**

**RICHARD PERKINS, and  
RICHARD MILLER,  
Plaintiffs,**

**vs.**

**FEDERAL FRUIT AND PRODUCE COMPANY, INC. and  
MICHAEL MARTELLI,  
Defendants.**

**AMENDED JUDGMENT**

In accordance with the MEMORANDUM OPINION AND ORDER DENYING DEFENDANTS' MOTION FOR JUDGMENT AS A MATTER OF LAW and the MEMORANDUM OPINION AND ORDER ON DEFENDANTS' MOTION FOR RECONSIDERATION AND TO VACATE TRIAL AND JUDGMENT AND/OR FOR A NEW TRIAL the Court amends its JUDGMENT IN FAVOR OF RICHARD PERKINS AND RICHARD MILLER (Doc. No. 146), this Amended Judgment is entered as follows:

1. In favor of Richard Perkins against Federal Fruit and Produce Company, Inc. on Richard Perkins' claims for unlawful discharge:
  - a. \$50,000 for Richard Perkins' emotional pain and mental anguish with Michael Martelli jointly and severally liable for \$15,000 of the \$50,000 award;
  - b. \$65,000 for punitive damages on Richard Perkins' claim for discriminatory discharge;and

- c. \$350,000 for punitive damages on Richard Perkins' claim for retaliatory discharge;
2. In favor of Richard Perkins against Michael Martelli on Richard Perkins' claim for unlawful discharge:
  - a. \$15,000 for Richard Perkins' emotional pain and mental anguish which is subsumed into the \$50,000 award against Federal Fruit and Produce Company, Inc. and for which Michael Martelli is jointly and severally liable with Federal Fruit and Produce Company, Inc. to the extent of \$15,000;  
and
  - b. \$65,000 in punitive damages;
3. In favor of Richard Miller against Federal Fruit and Produce Company, Inc. on Richard Miller's claim for retaliation in the amounts of compensatory damages and punitive damages to be determined at a new trial.
4. In favor of Richard Miller against Michael Martelli on Richard Miller's claim for retaliation in the amounts of compensatory damages and punitive damages to be determined at a new trial.

  
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SENIOR UNITED STATES DISTRICT JUDGE

Entered this 14th day of May, 2013.