

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO**

Civil Action No. 13-cv-01205-REB-BNB

GENA BARNASON,

Plaintiff,

v.

UNION PACIFIC RAILROAD,

Defendant.

FINAL JUDGMENT

This action was tried before a jury of nine sworn to try the issues herein with United States District Judge Robert E. Blackburn presiding, and the jury has rendered a verdict. In accordance with the verdict of the jury, the orders filed during the pendency of this case, and the provisions of Fed. R. Civ. P. 58(a), the following Final Judgment is entered.

1. The jury found in favor of defendant on the claim of negligence with respect to the incident of May 26, 2010.
2. The jury found in favor of defendant on the claim of negligence per se with respect to the incident of May 26, 2010.
3. The jury found in favor of plaintiff on the claim of negligence with respect to the incident of June 25, 2010, and awarded damages in the amount of two hundred sixty-four thousand four hundred fifteen dollars (\$264,415).
4. With respect to the incident of June 25, 2010, the jury found that plaintiff's own negligence accounted for 40% of her injuries, damages, or losses, and that the

negligence of defendant accounted for 60% of plaintiff's injuries, damages, or losses.

THEREFORE, IT IS ORDERED and **ADJUDGED** as follows:

1. That judgment is **ENTERED** for defendant, UNION PACIFIC RAILROAD COMPANY, against plaintiff, GENA BARNASON, on plaintiff's claims for negligence and negligence per se related to the incident of May 26, 2010;

2. That judgment is **ENTERED** for plaintiff, GENA BARNASON, against defendant, UNION PACIFIC RAILROAD COMPANY, on plaintiff's claim of negligence related to the incident of June 25, 2010;

3. That judgment is **ENTERED** for plaintiff, GENA BARNASON, against defendant, UNION PACIFIC RAILROAD COMPANY, in the amount of one hundred thousand fifty-eight thousand six hundred forty-nine dollars (\$158,649);

4. That plaintiff is **AWARDED** her costs to be taxed by the clerk of the court in the time and manner prescribed by Fed. R. Civ. P. 54(d)(1) and D.C.COLO.LCivR 54.1;

5. That pursuant to 28 U.S.C. § 1961, plaintiff is **AWARDED** post-judgment interest, at the rate of 0.11%, from the date of this order until the judgment is fully paid; and

6. That any request for attorney fees and additional costs and expenses **SHALL BE MADE** in the manner prescribed by the law applicable to the request.

DATED June 23, 2014, at Denver, Colorado.

FOR THE COURT:

Jeffrey P. Colwell, Clerk

By: s/Kathleen Finney
Kathleen Finney
Deputy Clerk

APPROVED BY THE COURT:

Bob Blackburn

Robert E. Blackburn
United States District Judge