

UNITED STATES DISTRICT COURT
for the
Southern District of Illinois

DORIS COLE,
Plaintiff(s)
v.
THE KROGER CO., et. al.,
Defendant(s)
Case Number: 3:08-cv-217-PMF

JUDGMENT IN A CIVIL ACTION

The Court has ordered that:

- Plaintiff, recover from the Defendant, the amount of \$, which includes prejudgment interest at the rate of %, plus postjudgment interest at the rate of%, along with costs.
Plaintiff recover nothing, the action be dismissed on the merits, and the Defendant recover costs from the Plaintiff.
other: Kroger Co.'s Motion for Voluntary Dismissal Without Prejudice is granted and Third-Party Defendant Phillip M. Kimmel Trust is dismissed;
Plaintiff Doris Cole's claim against defendants Kroger Co. and Bromont Property management, LLC has been settled and the claim is dismissed with prejudice;
Judgment is entered in favor of Kroger Co. on Count I of its amended third party complaint for indemnification against BP Carbondale in the amount of \$5,000;
Judgment is entered in favor of third party defendants Bromont Developments, LLC, Bromont Development Group, LLC, and Bromont Investments, Inc., on Count I of Kroger Co.'s amended third party complaint for indemnification and against Kroger Co.; and

Count II of Kroger Co.'s amended third party complaint for contribution is dismissed as moot.

This action was:

- tried by a jury with Judge presiding, and the jury has rendered a verdict.
- tried by Judge without a jury, and the above decision was reached.
- decided by Judge Philip M. Frazier on a motion for summary judgment.
- other: Plaintiff Doris Cole's claim against defendants The Kroger Co. and Bromont Property was settled.

Dated: May 24, 2011.

NANCY J. ROSENSTENGEL, Clerk

s/ Karen R. Metheney
Deputy Clerk

APPROVED:

s/ Philip M. Frazier
HON. PHILIP M. FRAZIER
UNITED STATES MAGISTRATE JUDGE