

of trial. In light of that agreement in this case, it would be completely inefficient to postpone the decision of the amount of punitive damages, if any, to the second phase. The first jury will hear all of the evidence regarding the propriety of punitive damages, and in the event that it finds in favor of the plaintiffs on that issue, it is that same evidence, by and large, that will be used to determine the amount of punitive damages that are necessary and appropriate to punish the defendant and deter future misconduct. *See Exxon Shipping Co. v. Baker*, 128 S.Ct. 2605, 2621 (2008) (discussing purpose of punitive damage awards). Therefore, under the circumstances of this case, the Court determines that the Plaintiff's bifurcation proposal best serves the interests of judicial economy. Inasmuch as the Defendants have not demonstrated that there are any countervailing interests that render the Plaintiff's proposal inappropriate, the Plaintiff's motion is **GRANTED**.

SO ORDERED: 03/02/2009



Hon. William T. Lawrence, Judge
United States District Court
Southern District of Indiana

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