

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF LOUISIANA

GREAT WEST CASUALTY COMPANY
AND JIM PALMER TRUCKING CO

CIVIL ACTION

VERSUS

NO. 07-875-SCR

AAA COOPER TRANSPORT AND/OR
AAA COOPER TRANSPORTATION, "INC."
RAY S. JOHNSON AND PROTECTIVE
INSURANCE COMPANY

MAG. JUDGE RIEDLINGER

JUDGMENT

In accordance with the jury verdict rendered February 10, 2010 and the stipulated facts, judgment is hereby rendered in favor of plaintiffs Great West Casualty and Jim Palmer Trucking, Inc., and intervenor-plaintiff Juan Rodriguez-Salas, and against defendants AAA Cooper Transportation, Inc., and Ray S. Johnson, as follows:

In favor of plaintiffs Great West Casualty Company and Jim Palmer Trucking, Inc. against AAA Cooper Transportation, Inc. and Ray Johnson, in solido, in the amount of \$75,199.89, and in favor of intervenor-plaintiff Juan Rodriguez-Salas, against AAA Cooper Transportation, Inc. and Ray Johnson, in solido, in the amount of \$197,048.80, together with legal interest from date of judicial demand to date of judgment at the rate set forth in the laws of the State of Louisiana and at the rate set forth in 28 U.S.C. § 1961 from date of judgment until paid;

In favor of the plaintiffs Great West Casualty Company and Jim Palmer Trucking, Inc. against intervenor-plaintiff Juan Rodriguez-Salas in the amount of \$33,455.94, to be paid in preference and priority out of the recovery received by intervenor-plaintiff Juan Rodriguez-Salas, together with legal interest from the date of judicial demand to date of judgment at the rate set forth in the laws of the State of Louisiana, and at the rates set forth in 28 U.S.C. § 1961 from the date of judgment until paid; and

In favor of plaintiffs Great West Casualty Company and Jim Palmer Trucking, Inc., and intervenor-plaintiff Juan Rodriguez-Salas, dismissing the claims of AAA Cooper Transportation, Inc. in its Counter Claim against the plaintiffs and the intervenor-plaintiff, with prejudice.

Judgment is further rendered against plaintiffs Great West Casualty and Jim Palmer Trucking, Inc., and intervenor-plaintiff Juan Rodriguez-Salas, and in favor of defendant Protective Insurance Company dismissing the plaintiffs' and intervenor-plaintiff's claim against Protective Insurance Company as the defendants' liability insurer, with prejudice; and

Judgment is further rendered against plaintiffs Great West Casualty and Jim Palmer Trucking, Inc., and intervenor-plaintiff Juan Rodriguez-Salas, and in favor of defendant Protective Insurance Company dismissing the plaintiffs' and intervenor-plaintiff's claim against Protective Insurance Company as the surety of defendant AAA Cooper Transportation, Inc. under its MCS-82 surety bond, without prejudice to the plaintiffs and the intervenor-plaintiff seeking

payment of the judgment from Protective Insurance Company if defendant AAA Cooper Transportation, Inc. does not pay the judgment against it.

Costs allowed under 28 U.S.C. § 1920 shall be taxed by the clerk of court in favor of the plaintiffs and the intervenor-plaintiff and against defendants AAA Cooper Transportation, Inc., and Ray Johnson in accordance with the applicable provisions of Uniform Louisiana Local Rule 54.

Baton Rouge, Louisiana, March 12, 2010.


STEPHEN C. RIEDLINGER
UNITED STATES MAGISTRATE JUDGE