

**THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
ASHEVILLE DIVISION**

**CIVIL CASE NO. 1:11cv32**

<b>JESSICA KINGSLEY, Personal</b>	)
<b>Representative of the Estate of</b>	)
<b>Julie L. Smith, a/k/a Julie Lynn</b>	)
<b>Kingsley Smith,</b>	)
	)
<b>Plaintiff,</b>	)
	)
<b>vs.</b>	)
	)
	)
<b>BRENDA AND GENE LUMMUS, INC.,</b>	)
<b>d/b/a Ghost Town Harley Davidson,</b>	)
	)
<b>Defendant.</b>	)
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**J U D G M E N T**

**THIS MATTER** came on for trial and was heard by the undersigned judge, and a jury was duly empaneled and has answered the issues presented as follows:

1. Was the death of Julie L. Smith proximately caused by the negligence of the Defendant?

ANSWER: NO

2. What amount of damages, if any, is the Plaintiff entitled to recover from the Defendant?

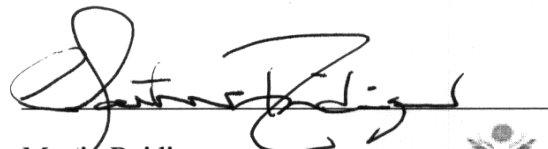
ANSWER: N/A

Based on the foregoing facts as found by the jury, the Court concludes as a matter of law that the Defendant Brenda and Gene Lummus, Inc. Is not liable for the death of the Plaintiff's decedent.

**IT IS, THEREFORE, ORDERED, ADJUDGED, AND DECREED** that the Plaintiff shall recover nothing from the Defendant in the form of damages.

**IT IS FURTHER ORDERED ADJUDGED AND DECREED** that this action is hereby **DISMISSED WITH PREJUDICE** in its entirety, and the Defendant shall recover its costs of the action from the Plaintiff.

Signed: May 25, 2012

  
Martin Reidinger  
United States District Judge 