

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

MICHAEL MCKENNA,	:	CIVIL ACTION
WILLIAM MCKENNA, and	:	
RAYMOND CARNATION	:	
	:	
v.	:	
	:	
CITY OF PHILADELPHIA	:	NOS. 98-5835, 99-1163

ORDER

AND NOW, this 15th day of July, 2009, upon consideration of the Motion of the Defendant City of Philadelphia to apply Title VII's statutory cap to the plaintiffs' damages (Docket Nos. 150 and 151 in Case No. 98-5835; Docket No. 169 in Case No. 99-1163 and 5/28/09 Tr. at 10-11) and the Motion of Plaintiffs Michael McKenna, William McKenna, and Raymond Carnation to Enter Judgment on the Jury Damage Award [as] an Award of Damages under the Pennsylvania Human Relations Act (Docket No. 154 in Case No. 98-5835; Docket No. 171 in Case No. 99-1163), and the responses and supplemental briefing thereto, IT IS HEREBY ORDERED, for the reasons set out in a Memorandum of today's date, that the Motion of the City of Philadelphia is GRANTED and the Motion of the Plaintiffs is DENIED. When the Court enters a final judgment in this matter, which it expects to do shortly, it will apply the \$300,000 statutory cap set out in 42 U.S.C. § 1981a(b)(3)(D) to the jury verdicts for the three

plaintiffs in this matter, entered May 14, 2008, awarding them compensatory damages in excess of the statutory cap.

BY THE COURT:

/s/ Mary A. McLaughlin  
MARY A. McLAUGHLIN, J.