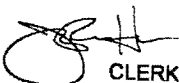


UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH DAKOTA
WESTERN DIVISION

FILED

JUL 05 2011

 CLERK

JAMES L. VARNER,)	CIV. 09-5076
)	
Plaintiff,)	
)	
vs.)	JUDGMENT
)	
BNSF RAILWAY COMPANY,)	
)	
Defendant.)	


This action came before the court for a trial by jury. The issues have been tried and the jury has rendered a verdict. Therefore, it is hereby

ORDERED, ADJUDGED, AND DECREED that judgment is entered in favor of defendant, BNSF Railway Company, against plaintiff, James L. Varner.

IT IS FURTHER ORDERED that the Clerk shall assess costs against plaintiff and in favor of defendant.

Dated this 5th day of July, 2011.

BY THE COURT:


JEFFREY L. VIKEN
District Judge