

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TENNESSEE
NORTHERN DIVISION

THOMAS NEELY,)
) No. 3:05-CV-304
Plaintiff,)
) Knoxville, TN
vs.) June 21, 2006
) 9:30 a.m.
FOX OF OAK RIDGE,)
)
Defendant.)

TRANSCRIPT OF JURY TRIAL (CONTINUED)
BEFORE THE HONORABLE H. BRUCE GUYTON
UNITED STATES MAGISTRATE JUDGE

APPEARANCES:

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For the Defendant: Clint J. Woodfin, Esq.
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1 MR. WOODFIN: As far as I'm concerned.

2 THE COURT: Mr. English?

3 MR. ENGLISH: Yes, Your Honor.

4 THE COURT: All right. Mr. Curd, you may be
5 excused.

6 (Witness is excused.)

7 (Bench Conference.)

8 MR. ENGLISH: Your Honor, may we approach? At
9 this time, we would like to move for a directed
10 verdict in behalf of the plaintiff. The testimony of
11 Mr. Curd is, he is without a doubt clearly at fault
12 with this wreck to -- clearly too fast. I don't think
13 there's any question that he is entitled to a directed
14 verdict in this case. There's no question of the
15 facts if it would be sent to the jury.

16 MR. WOODFIN: Just as the plaintiff had
17 mentioned in our record on directed verdict there's
18 evidence on both sides the accident happened as a
19 result of someone's negligence, or it just happened.

20 Mr. Curd testified that he slid on a wet road.
21 If the jury believed that testimony, they may find
22 there was no negligence in this case.

23 THE COURT: That's a jury question. I
24 respectfully deny the motion.

25 All right. Mr. Woodfin?