

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:

For the Plaintiff: Robert J. English, Esq.  
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For the Defendant: Clint J. Woodfin, Esq.  
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1 years ago, and what it is today. These expenses are only going  
2 to get higher.

3 But we're asking you to do what's right and  
4 what's just, and come back with a verdict for Mr. Neely.

5 THE COURT: Mr. Woodfin.

6 MR. WOODFIN: Thank you.

7 CLOSING ARGUMENT

8 BY MR. WOODFIN:

9 Thank you all for listening to us over these past  
10 few days. I'll try to be brief.

11 You heard the evidence in this case. You've been  
12 able to weigh the credibility of the witnesses that you've  
13 heard. And you should be able to make a decision on what you  
14 have heard.

15 A lawsuit starts out with the filing of a  
16 complaint. And I mentioned that in the beginning of this  
17 presentation that I made to you, that the complaint was the  
18 amount that we were sued for. The complaint is a part of this  
19 record of this Court. I'll just read this to you.

20 "Wherefore the plaintiff's demand the jury to try  
21 this cause and award judgment in such amount that the jury  
22 deems fair, but not to exceed two million, five hundred  
23 thousand dollars (\$2,500,000) in compensatory damages."

24 Yet, the plaintiff expects my client to apologize  
25 to him for an accident that they did not cause. They expect us