

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.
Michael C. Inman, Esq.
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For the Defendant: Clint J. Woodfin, Esq.
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1 Madam Foreperson, has the jury reached a
2 verdict?

3 MADAM FOREPERSON: Yes, we have.

4 THE COURT: And is it a unanimous verdict?

5 MADAM FOREPERSON: Yes, it is.

6 THE COURT: And have you signed the verdict
7 form?

8 MADAM FOREPERSON: Yes, I have.

9 THE COURT: All right then, if you would hand
10 it to the Clerk, please.

11 Madam Clerk, if you will take the verdict.

12 All right. At this time, the Court is going
13 to read the verdict. And the Court is going to then
14 ask the jurors whether this is a unanimous verdict of
15 all the jurors.

16 VERDICT

17 We, the jury, unanimously make the following
18 findings:

19 Question No. 1: Was the Defendant, Fox of Oak
20 Ridge, Inc. negligent?

21 And your answer is: Yes.

22 Question No. 2: Was the Defendant, Fox of Oak
23 Ridge, Inc.'s negligence a legal cause of the injuries to the
24 plaintiff Thomas Neely?

25 And your answer: No.

1 And you have gone on and answered No. 3.

2 I will read the answer (sic) of the verdict: What is the total
3 amount of compensatory damages that the plaintiff Thomas Neely
4 is entitled to recover?

5 And your answer is: Thirty thousand dollars
6 (\$30,000).

7 It is signed by Ms. Hensley. Is this verdict the
8 unanimous verdict of all members of the jury? If so, please
9 raise your right hand.

10 All right. The record will reflect that all the
11 jurors have raised their right hand signifying a unanimous
12 verdict.

13 At this time, I'm going to excuse the jury and
14 take up a matter with the attorneys. It will just take a
15 moment.

16 Mr. Marcus, if you will just have them wait for
17 me in the conference room.

18 (Jury out at 5:12.)

19 DEPUTY CLERK: Please be seated.

20 THE COURT: Would the attorneys like to see
21 the verdict form, because the Court has got a problem.

22 MR. ENGLISH: I'm sure that you read it
23 correctly.

24 THE COURT: No, I read it correctly. I just
25 think that maybe the verdict form should have been