

CAUSE NO. 2008-54326

NORMA EVA HERNANDEZ

VS.

JOSEPH PHIPODEAUX a/k/a JOSEPH
THIBODEAUX, NEW TEXAS AUTO
AUCTION SERVICES, L.P. D/B/A BIG H
AUTO AUCTION, GEORGIA AUCTION
SERVICES, INC. D/B/A BIG H AUTO
AUCTION, MANHEIM TEXAS AUCTION
SERVICES, L.L.C. D/B/A BIG H AUTO
AUCTION

IN THE DISTRICT COURT OF

HARRIS COUNTY, TEXAS

270th JUDICIAL DISTRICT

P-2
NPLJ

MODIFIED FINAL JUDGMENT

On July 9, 2012, this case was called for trial. Plaintiff, Norma Eva Hernandez, appeared in person and through her attorneys and announced ready for trial. Defendants, Joseph Thibodeaux, New Texas Auto Auction Services, L.P. d/b/a Big H Auto Auction, Georgia Auction Services, Inc. d/b/a Big H Auto Auction, and Manheim Texas Auction Services, L.L.C. d/b/a Big H Auto Auction, appeared in person and through their attorney and announced ready for trial.

After a jury was impaneled and sworn, it heard the evidence and arguments of counsel. In response to the jury charge, the jury made findings that the Court received, filed, and entered of record. Specifically, the jury made findings that the sum of Thirty Thousand Four Hundred Seventy-Two and 50/100 Dollars (\$30,472.50) would fairly and reasonably compensate Plaintiff, Norma Eva Hernandez's medical care expenses incurred in the past; Forty-Five Thousand and No/100 Dollars (\$45,000.00) would fairly and reasonably compensate Plaintiff, Norma Eva Hernandez for physical pain and mental anguish sustained in the past;

The questions submitted to the jury, and the jury's findings, are attached as Exhibit A and incorporated by reference. Plaintiff filed a motion for judgment on the verdict.

All matters in controversy, legal and factual, were submitted to the Court for its determination. The court heard the evidence and arguments of counsel and announced its decision of Plaintiff, Norma Eva Hernandez. Plaintiff filed a motion for judgment based on the Court's decision.

The Court hereby RENDERS judgment for Plaintiff, Norma Eva Hernandez.

The Court finds that the award of past medical expenses in the amount of \$30,472.50 is in compliance with Texas Civil Practice and Remedies Code Section 41.0105.

Therefore, the Court orders that Plaintiff, Norma Eva Hernandez, recover from Defendants, Joseph Thibodeaux, New Texas Auto Auction Services, L.P. d/b/a Big H Auto Auction, Georgia Auction Services, Inc. d/b/a Big H Auto Auction, and Manheim Texas Auction Services, L.L.C. d/b/a Big H. Auto Auction, the sum of \$75,472.50, prejudgment interest at the annual rate of 5% pursuant to the Texas Finance Code in the amount of \$20,068.63 on jury award, post judgment interest on the total sum at the annual rate of 5% pursuant to Tex. Fin. Code § 304.002, and court costs in the amount of \$4,875.52 for a total sum of \$100,416.65.

This judgment is final and disposes of all claims and all parties and is appealable. The Court orders execution to issue for this judgment.

SIGNED on December 4, 2012, 2012.



PRESIDING JUDGE

PROVOST ★ UMPHREY LAW FIRM, L.L.P.
490 Park Street
P.O. Box 4905
Beaumont, Texas 77704
(409) 835-6000
Telefax: (409) 813-8605

By: / s / Ronnie Turner, Jr.
JAMES E. PAYNE
State Bar No. 00788171
JENNIFER JOB SEALE
State Bar No. 24060582
RONNIE TURNER, JR.
State Bar No. 24075533

ATTORNEYS FOR PLAINTIFF