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CAUSE NO. 2008-00107

LINDA POHL

VS.

ANNETTE TAYLOR &
ALFRED TRULL

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§
§
§
§

IN THE DISTRICT COURT
61st JUDICIAL DISTRICT
HARRIS COUNTY, TEXAS

Time: _____
By _____
Harris County, Texas
County

NOV 23 2009

FILED
Loren Jackson
District Clerk

FINAL JUDGMENT

1. On November 9, 2009, the above-entitled and numbered cause was called to trial. The Plaintiff Linda Pohl appeared in person and by and through her attorney of record and announced ready. The Defendants Alfred Trull and Annette Taylor appeared in person and by and through their attorneys of record and announced ready. A jury of twelve qualified citizens was duly empanelled. Plaintiff presented evidence and Defendant presented evidence and, at the conclusion of all of the evidence, the jury was charged by the Court. The jury deliberated, and the jury returned an 11-1 verdict in open court.

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2. The jury's verdict was as follows:

“QUESTION 1

Did the negligence, if any, of those named below proximately cause the occurrence in question?

Answer “Yes” or “No” for each of the following:

a. Alfred Trull YES

b. Annette Taylor YES

If you answered “Yes” to Question 1 for more than one of those named below, then answer the following question. Otherwise, do not answer the following question.

Assign percentages of responsibility only to those you found caused or contributed to cause the occurrence or injury. The percentages must be expressed in whole numbers. The

percentage of responsibility attributable to any one is not necessarily measured by the number of acts or omissions found. The percentage attributable to any one need not be the same percentage attributed to that one in answering another question.

QUESTION 2

For each person you found caused or contributed to cause the occurrence or injury, find the percentage of responsibility attributable to each:

- | | | | |
|----|----------------|------------|---|
| a. | Alfred Trull | <u>80</u> | % |
| b. | Annette Taylor | <u>20</u> | % |
| | Total | <u>100</u> | % |

If you answered "Yes" to Question 1 for any of those named, then answer the following question. Otherwise do not answer the following question.

QUESTION 3

What sum of money, if paid now in cash, would fairly and reasonably compensate Linda Pohl for her injuries, if any, that resulted from the occurrence in question?

Consider the elements of damages listed below and none other. Consider each element separately. Do not award any sum of money on any element if you otherwise, under some other element, awarded a sum of money for the same loss. That is, do not compensate twice for the same loss, if any. Do not include interest on any amount of damages you find.

Answer separately, in dollars and cents, for damages, if any.

- a. Physical pain and mental anguish sustained in the past.

Answer: \$15,000

- b. Physical pain and mental anguish that, in reasonable probability, Linda Pohl will sustain in the future.

Answer: \$23,500

- c. Physical impairment sustained in the past.

Answer: \$8,000

d. Physical impairment that, in reasonable probability, Linda Pohl will sustain in the future.

Answer: \$35,000

e. Medical care expenses incurred in the past

Answer: \$3,500 ”

Based upon the jury’s verdict, the Court hereby enters judgment for Plaintiff and against Defendants as follows:

3. It is ORDERED, ADJUDGED and DECREED that Plaintiff Linda Pohl have and recover from Defendant Alfred Trull the following sums:

Physical pain and mental anguish sustained in the past:	\$12,000
Physical pain and mental anguish that, in reasonable probability, Linda Pohl will sustain in the future:	\$18,800
Physical impairment sustained in the past:	\$6,400
Physical impairment that, in reasonable probability, Linda Pohl will sustain in the future:	\$28,000
Medical care expenses incurred in the past:	\$2,800

4. It is ORDERED, ADJUDGED and DECREED that Plaintiff Linda Pohl have and recover from Defendant Annette Taylor the following sums:

Physical pain and mental anguish sustained in the past:	\$3,000
Physical pain and mental anguish that, in reasonable probability, Linda Pohl will sustain in the future:	\$4,700
Physical impairment sustained in the past:	\$1,600
Physical impairment that, in reasonable probability, Linda Pohl will sustain in the future:	\$7,000
Medical care expenses incurred in the past:	\$700

5. It is further ORDERED, ADJUDGED and DECREED that Plaintiff Linda Pohl have and recover from Defendant Alfred Trull prejudgment interest at the rate of five percent (5%) on Plaintiff's damages in the past, from July 4, 2006 to the present date, being the sum of \$3,066.54.

6. It is further ORDERED, ADJUDGED and DECREED that Plaintiff Linda Pohl have and recover from Defendant Annette Taylor prejudgment interest at the rate of five percent (5%) on Plaintiff's damages in the past, from July 4, 2006 to the present date, being the sum of \$766.63.

7. It is further ORDERED, ADJUDGED and DECREED that the total amount of this judgment (i.e. (\$88,817.33) shall bear interest at the rate of five percent (5%) from the date of this judgment until paid.

8. It is further ORDERED, ADJUDGED and DECREED that all costs of court are taxed against Defendants Alfred Trull and Annette Taylor in the following percentages:

Alfred Trull: 80%

Annette Taylor: 20%.

9. It is further ORDERED, ADJUDGED and DECREED that Plaintiff Linda Pohl have all writs and processes necessary to enforce this judgment.

10. All relief not expressly granted herein is hereby DENIED.

11. This is a final judgment disposing of all parties and all claims and is appealable.

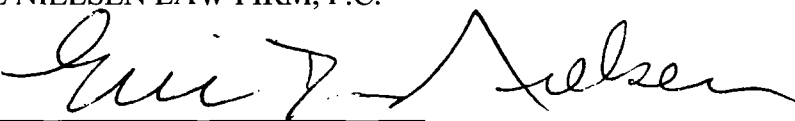
SIGNED this _____ day of **NOV 30 2009**, 2009



JUDGE PRESIDING

APPROVED:

THE NIELSEN LAW FIRM, P.C.

BY: 

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Unofficial Copy Office of Marilyn Burgess District Clerk