

NO. 04-11-00459-CV

GERALD ANTHONY GARCIA
Plaintiff

V.

VIA METROPOLITAN TRANSIT
Defendant

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IN THE DISTRICT COURT

438th JUDICIAL DISTRICT

OF BEXAR COUNTY, TEXAS

JUDGMENT

On May 30, 2010, this cause came on to be heard and Gerald Garcia, the plaintiff, appeared in person and by attorney of record and announced ready for trial and VIA Metropolitan Transit, the defendant, appeared in person and by attorney of record and announced ready for trial and a jury having been previously demanded, a jury consisting of 12 qualified jurors was duly empaneled and the case proceeded to trial.

At the conclusion of the evidence, the court submitted the questions of fact in the case to the jury. The charge of the court and the verdict of the jury are incorporated for all purposes by reference. Because it appears to the court that the verdict of the jury was for the plaintiff and against the defendant, judgment should be rendered on the verdict in favor of the plaintiff and against the defendant.

IT IS THEREFORE ORDERED by the court that Gerald Garcia have and recover actual damages from VIA Metropolitan Transit the sum of \$100,000.00.

IT IS FURTHER ORDERED by the court that Gerald Garcia have and recover from VIA Metropolitan Transit exemplary damages in the sum of \$0.00.

IT IS FURTHER ORDERED THAT Gerald Garcia recover from VIA Metropolitan Transit attorney's fees in the sum of \$0.00 for services rendered through the trial of this case. In the event of an appeal by VIA Metropolitan Transit to the court of appeals, if the appeal is unsuccessful,

Gerald Garcia will be further entitled to \$10,000.00 as a reasonable attorney's fee; in the event of an appeal by VIA Metropolitan Transit to the Supreme Court of Texas, if the appeal is unsuccessful, Gerald Garcia will be entitled to an additional \$25,000.

IT IS FURTHER ORDERED that the total amount of the judgment here rendered will bear interest at the rate of 10% from May 30, 2010 until paid.

All costs of court spent or incurred in this cause are adjudged against VIA Metropolitan Transit, defendant.

All writs and processes for the enforcement and collection of this judgment or the costs of court may issue as necessary.

All relief requested in this case and not expressly granted is denied. This judgment finally disposes of all parties and claims and is appealable.

SIGNED on: _____

JUDGE PRESIDING

APPROVED AS TO FORM:

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