

STATE OF MINNESOTA
COUNTY OF HENNEPIN

DISTRICT COURT
FOURTH JUDICIAL DISTRICT
Type of Case: Personal Injury - FELA

Scott Kowalewski,

Court File No. 27-CV-17-145

Plaintiff,

v.

BNSF Railway Company,
A Delaware corporation,

Defendant.

**ORDER DENYING MOTION FOR A NEW
TRIAL AND FINDINGS OF FACT,
CONCLUSIONS OF LAW AND ORDER
FOR JUDGMENT**

This matter came on for Trial by jury before the Honorable Amy Dawson, on February 14, 2018, in Hennepin County, Minnesota. Defendant filed its Motion for New Trial and Judgment as a Matter of Law on March 22, 2018. The court makes the following:

FINDINGS OF FACT

1. The Court instructed the jury that the court already found that BNSF was negligent, and that BNSF's negligence caused Plaintiff to sustain a neurological injury caused by exposure to toxic chemicals. The Court incorporates herein by reference its February 5, 2018 Order Granting Plaintiff's Motion for Sanctions and accompanying memorandum.
2. The jury was asked only to determine the amount of money, if any, that would fairly and adequately compensate Plaintiff for his damages in a one line verdict form question.
3. The jury determined that the amount of money that would fairly and adequately compensate Plaintiff for those damages was \$15,343,753.00.

CONCLUSIONS OF LAW

1. Based upon the special verdict, judgment shall be entered against BNSF in the amount of \$15,343,753.00.

ORDER

1. Defendant's March 22, 2018 Motion for New Trial and Judgment as a Matter of Law is **DENIED**.
2. It is hereby ordered that judgment be entered against BNSF in the amount of \$15,343,753.00.
3. The automatic stay of Minn. Gen. R. Prac. 125 shall not apply.

LET JUDGMENT BE ENTERED IMMEDIATELY.

Dated:

April 2, 2018

BY THE COURT:



Amy Dawson
Judge of District Court

Filed in Fourth Judicial District Court
2:26 pm, Apr 04, 2018
Hennepin County Civil, MN

JUDGMENT

I Hereby Certify that the above Order
Constitutes the Entry of Judgment of the Court
Sarah Lindahl-Pfeiffer, Court Administrator

By *Rozzy Clough*
Apr 04, 2018

STATE OF MINNESOTA COUNTY OF HENNEPIN
I hereby certify this 2 page document to be a
true and correct copy of the original on file and or
record in my office.
District Court Administrator

By *[Signature]* 4/5/18 Deputy