

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

THIRD AMENDED JUDGMENT IN A CIVIL CASE

CASE NUMBER: 96-11598-JLT

William Davis,
Administrator of the Estate of Jason Davis,
Plaintiff

v.

Paul Rennie, Richard Gillis,
Thomas Michael Hanlon a/k/a T. Michael Hanlon, Leonard Fitzpatrick,
Nicholas L. Tassone, Joyce V. Wiegiers
a/k/a Joyce V. Wiegiers- Labrie, and Phillip Bragg,

Defendants

- X **Jury Verdict.** This action came before the Court for a trial by jury. The issues have been tried and the jury rendered its verdict on October 28, 1998. The initial Judgment entered on November 4, 1998, an Amended Judgment entered on March 10, 1999 and the Second Amended Judgment entered on February 6, 2002.
- X **Decisions by Court.** The Court rendered decisions relative to all post judgment motions. The Court ordered a Remittitur in the amount of \$525,000.00. It also awarded the Plaintiff Attorneys' Fees (\$335,402.00), Costs and Expenses (\$27,922.40) and Taxable Costs (\$8,652.70) following the entry of the initial Judgment.

IT IS ORDERED AND ADJUDGED that the Plaintiff is awarded Compensatory Damages (hereinafter "Compensatory Damages") in the amount of \$100,000.00. The Defendants, Paul Rennie, Richard Gillis, Thomas Michael Hanlon a/k/a T. Michael Hanlon, Leonard Fitzpatrick, Nicholas L. Tassone, Phillip Bragg and Joyce V. Wiegiers a/k/a Joyce V. Wiegiers-Labrie (hereinafter collectively referred to as "the Defendants"), are jointly and severally liable for the payment of the \$100,000.00 awarded to the Plaintiff as Compensatory Damages.

IT IS FURTHER ORDERED AND ADJUDGED that the Plaintiff is awarded Punitive Damages (hereinafter "Punitive Damages") in the amount of \$1,025,000.00. Each of the Defendants shall be liable for the payment of Punitive Damages in the amounts set forth below opposite their names:

Paul Rennie	\$ 125,000.00
Richard Gillis	\$ 50,000.00
Thomas Michael Hanlon a/k/a T. Michael Hanlon	\$ 50,000.00
Leonard Fitzpatrick	\$ 50,000.00

Nicholas Tassone	-0-
Phillip Bragg	\$ 500,000.00
Joyce V. Wieggers	\$ 250,000.00
a/k/a Joyce V. Wieggers-Labrie	

IT IS FURTHER ORDERED AND ADJUDGED that District Court Attorneys' Fees, Costs, Expenses and Taxable Costs be awarded to the Plaintiff in the collective amount of \$371,977.10. Each of the Defendants shall be liable for the payment of said Attorneys' Fees, Costs, Expenses and Taxable Costs to the Plaintiff in the amounts set forth below opposite their names:

Paul Rennie	\$ 44,282.99
Richard Gillis	\$ 44,282.99
Thomas Michael Hanlon a/k/a T. Michael Hanlon	\$ 44,282.99
Leonard Fitzpatrick	\$ 44,282.99
Nicholas Tassone	\$ 44,282.99
Phillip Bragg	\$ 106,279.16
Joyce V. Wieggers	\$ 44,282.99
a/k/a Joyce V. Wieggers-Labrie	

IT IS FURTHER ORDERED AND ADJUDGED that Appellate Attorneys' Fees and Costs be awarded to the Plaintiff in the collective amount of \$86,473.92. Each of the Defendants, excepting Phillip Bragg, shall be liable for the payment of said Appellate Attorneys' Fees and Costs in the amounts set forth below opposite their names:

Paul Rennie	\$ 14,412.32
Richard Gillis	\$ 14,412.32
Thomas Michael Hanlon a/k/a T. Michael Hanlon	\$ 14,412.32
Leonard Fitzpatrick	\$ 14,412.32
Nicholas Tassone	\$ 14,412.32
Joyce V. Wieggers	\$ 14,412.32
a/k/a Joyce V. Wieggers-Labrie	

IT IS FURTHER ORDERED AND ADJUDGED that Judgment shall enter in favor of Edward M. Murphy, Alan J. Zampini, Eileen P. Elias, Jeffrey Flowers and Frantz Joseph relative to all claims asserted against them by the Plaintiff.

Post Judgment interest is awarded and will be computed at the rate of 4.05% relative to the Compensatory and Punitive Damage awards.

Post Judgment interest is awarded and will be computed at the rate of 4.37% relative to the District Court Attorneys' Fees, Costs, Expenses and Taxable Costs.

Post Judgment interest is awarded and will be computed at the rate of 2.24% relative to the Appellate Attorneys' Fees and Costs.

Each Defendant is individually liable for the payment of the post judgment interest associated with the amounts, set forth above relative to each such Defendant, awarded to the Plaintiff for Punitive Damages, District Court and Appellate Attorneys' Fees, District Court and Appellate Costs, District Court Expenses and District Court Taxable Costs. The Defendants are jointly and severally liable for the post judgment interest associated with the \$100,000 Compensatory Damage award.

Post Judgment interest shall run from November 4, 1998 to the date of payment relative to the Compensatory Damage and Punitive Damage awards.

Post judgment interest shall run from March 10, 1999 to the date of payment relative to the awards for District Court Attorneys' Fees (\$335,402.00), District Court Costs and Expenses (\$27,922.40) and District Court Taxable Costs (\$8,652.70).

Post Judgment interest shall run from February 6, 2002 to the date of payment relative to the awards for Appellate Attorneys' Fees and Costs.

No pre-judgment interest is awarded.

This Third Amended Judgment supersedes the initial, Amended and Second Amended Judgments entered on November 4, 1998, March 10, 1999 and February 6, 2002, respectively.

Date: 2/16/2010

SARAH A. THORNTON

Clerk - Sarah A. Thorton


(BY) Deputy Clerk - Zita Lovett