

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF IOWA
DAVENPORT DIVISION

EQUAL EMPLOYMENT OPPORTUNITY
COMMISSION,

Plaintiff,

No. 3-11-cv-41-CRW-TJS

vs.

Order for Judgment

HILL COUNTRY FARMS, INC., doing
business as Henry's Turkey's Services,

Defendant.

On May 1, 2013, the trial ended with a jury returning special verdicts in this case. The court allowed counsel to file by May 10, 2013, their proposals on what judgment should be entered for the plaintiff Equal Employment Opportunity Commission (E.E.O.C.) and the thirty-two claimants it represents. The court has received the parties' written submissions concerning what judgment should be entered on the jury special verdicts filed on May 2, 2013. For the reasons herein set forth, the court now directs the clerk of court immediately to enter the following judgment.

Plaintiff E.E.O.C. shall be entitled to judgment against defendant Hill Country Farms, Inc. d/b/a Henry's Turkey's Services in the total sum of \$1,600,000, with each of the thirty-two claimants entitled to \$50,000 in damages, together with interest on that sum at the legal rate from April 6, 2011, and with taxable costs assessed against defendant. The E.E.O.C. shall immediately file its bill of costs.

Although the special verdicts provided for defendant to pay each claimant \$3 million in compensatory damages and \$2.5 million in punitive damages,¹ Title I of the Americans with

¹ In accordance with precedent, the court did not inform the jury about the statutory \$50,000 limit before the special verdicts were returned.

Disabilities Act imposes a statutory cap, or ceiling, of \$50,000 for each claimant when an employer like Hill Country Farms had more than fourteen but fewer than 101 employees. 42 U.S.C. §1981a (b)(2), (3)(A). The statute limits to \$50,000 the combined compensatory and punitive damages recoverable from the defendant for each claimant. The court has no discretion to enter judgment in excess of that statutory limit of \$50,000 in damages for recovery by each of the thirty-two claimants.


The plaintiff E.E.O.C. now seeks in its post-verdict brief to have the court also grant injunctive relief. During the trial, the court had informed the parties that no hearing would be held on the request for an injunction until the jury had returned its special verdicts. With the verdicts now favoring the plaintiff on damages issues, the court will hold a hearing at 9:00 a.m. on June 10, 2013 at the United States Courthouse in Davenport to address the following issues:

- 1) Should the court grant the E.E.O.C. request for injunctive relief?
- 2) Is the E.E.O.C. entitled to its expert witness fees, and if so, in what amount?
- 3) What interest on the judgment is owed and from what date is interest to be calculated?
- 4) If post-verdict and judgment motions are filed, the court will receive oral argument during the June 10 hearing.

By June 6, 2013, the parties may file a proposed ruling and supporting brief on each of these issues, together with a statement concerning what evidence, if any, will be presented at the hearing.

IT IS SO ORDERED.

Dated this 14th day of May, 2013.


CHARLES R. WOLLE, JUDGE
U.S. DISTRICT COURT