VIRGINIA:
IN THE WILLIAMSBURG/JAMES CITY COUNTY CIRCUIT COURT

BRENDA COLLINS,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Case No: CL04010259-00
	)	
VERBENA ASKEW,	)	
	)	
Defendant.	)	

FINAL ORDER

On January 27, 28 and 29, 2010, came the parties, in person and by counsel, and came also a jury, to wit: Jane Dantzler, Loralie Ephraim-Skinner, Howard Forbes, Kathleen Kasmire, Kimberly Masowich, Diane Schultz and Mary Wier, who were sworn to well and truly try the issues joined and a true verdict give according to the evidence and the law.

The evidence of Plaintiff was presented. Defendant moved to strike Plaintiff's case for the reasons stated on the record. After hearing argument of counsel, the Court denied Defendant's motion to strike. The evidence of Defendant was then presented. Thereafter, Plaintiff moved for a directed verdict on Plaintiff's claim of breach of contract for the reasons stated on the record, which motion the Court denied after hearing argument of counsel.

After receiving instructions from the Court and hearing arguments of counsel, the jury retired to their room to consult of their verdict, and after some time returned into court with the following verdict:

> On her count of defamation, we, the jury, find our verdict in favor of the plaintiff, Brenda Collins, and against the defendant, Verbena Askew, as to the following statement:

> "Collins was institutionalized – that's the only way you qualify for family leave"

and fix her damages as follows:

$300,000 for compensatory damages; and $50,000.00 for punitive damages.

On her count of breach of contract, we, the jury, find our verdict in favor of the plaintiff, Brenda Collins, and against the defendant, Verbena Askew, and fix her damages as follows:

$100,000 for attorney's fees. $6,000.00 for costs and expenses.

On her count of common law conspiracy to tortiously interfere with contract, we, the jury, find our verdict in favor of the defendant, Verbena Askew.

After the verdict was read in open court, the jury was dismissed.

Thereafter, Plaintiff Brenda Collins submitted her post-trial motion for an award of costs of trial pursuant to Virginia Code § 17.1-601, and Defendant Verbena Askew submitted her post-trial motion seeking to set aside the jury's verdict in Plaintiff's favor as to her claim for defamation, and to set aside the jury's award of fees and costs as to Plaintiff's claim for breach of contract. The Court granted Plaintiff's post-trial motion in part and denied it in part, and granted Defendant's post-trial motion in part and denied it in part, as set forth in the Order of this Court regarding same.

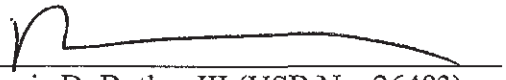
It is, therefore, ORDERED on the Complaint that the plaintiff, Brenda Collins, have judgment against the defendant, Verbena Askew, in the amount of $350,000.00, with interest at the statutory rate from the date of entry of this Order, until paid.

The Clerk is directed to remove this matter from the Court's active docket, and to send copies of this Order to counsel of record upon entry hereof.

Entered this 1st day of December 2010

Judge

Seen ~~and objected to~~:



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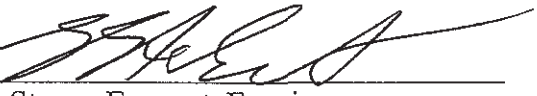
Seen and objected to: for the reasons set forth on the record and in defendant's pleadings and briefs



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ASSIGNMENTS OF ERROR

1. The trial court erroneously refused to set the verdict aside, because the evidence established that Askew's statement did not proximately cause Collins's claimed damages.

2. The trial court erroneously refused to apply Code § 8.01-35.1 to reduce the amount of the judgment.