

STATE OF INDIANA)
) SS:
COUNTY OF JOHNSON)

IN THE JOHNSON SUPERIOR COURT NO. 1
CAUSE NO. 41D01-2103-CT-000037

EDUARDO LOZANO FERNANDEZ,)
Plaintiff,)
)
v.)
)
RURAL KING HOLDINGS, LLP,)
Defendant.)

ORDER ON JURY TRIAL

September 19, 2023: Cause of action comes before the Court for Trial by Jury. Plaintiff, Eduardo Lozano Fernandez, appears in person and by counsel, Troy K. Rivera. Defendant, Rural King Holdings, LLP, appears by its representative, Anthony Silva, and by counsel, Heath E. Uppencamp. Preliminary Instructions argued. Prospective jurors appear and view instructional video. Voir Dire conducted. Jury selected. Oath issued to Petit Jurors. Preliminary Instructions read. Opening statements presented. Plaintiff commences presentation of case in chief. Presentation of evidence concluded for the day, to reconvene on September 20, 2023, at 8:30 a.m. Parties are directed to return on September 20, 2023 no later than 8:30 a.m. Trial recessed.

September 20, 2023: Cause of action comes before the Court for day two of Jury Trial. Parties appear with counsel. Witness sworn. Plaintiff continues presentation of case in chief. Plaintiff rests. Defendant presents its case in chief and rests. Final Instructions argued. Closing statements presented. Court's Final Instructions presented to the jury. Oath given to Bailiff. Jury retires to the jury room at 11:16 a.m. to commence deliberations. Jury returns to the courtroom with a verdict at 12:58 p.m. Presiding juror represents the jury has reached a unanimous verdict as follows:

“VERDICT FOR DEFENDANT - VERDICT FORM “B”

We, the Jury, find that the Plaintiff, Eduardo Luzano (sic) Fernandez, was 51% at fault, and that the Defendant Rural King Holdings, LLP, was 49% at fault. Inasmuch as the fault of the Plaintiff is greater than 50 percent, we the Jury find for the Defendant, Rural King Holdings, LLP, and against the Plaintiff, Eduardo Luzano (sic) Fernandez.”

THE COURT now enters Judgment in favor of the Defendant, Rural King Holdings, LLP, and against the Plaintiff Eduardo Lozano Fernandez.

JUDGMENT IS ENTERED in favor of the Defendant, Rural King Holdings, LLP, and against the Plaintiff, Eduardo Lozano Fernandez.

SO ORDERED: 9/20/2023.



KEVIN M. BARTON, JUDGE
JOHNSON SUPERIOR COURT NO. 1

Distribution:

Troy K. Rivera
Attorney for Plaintiff
(Via E-Notice)

Heath E. Uppencamp
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Rural King Holdings, LLP
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