

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION	*	CIVIL ACTION
	*	
VERSUS	*	NO. 09-6460
	*	
BOH BROTHERS CONSTRUCTION COMPANY, LLC	*	SECTION "B" (2)

ORDER

Following today's hearing in open court with counsel for the parties present regarding Plaintiffs's Motion for Injunctive Relief (Rec. Doc. No. 60), Defendant's Motion for New Trial (Rec. Doc. No. 67), Motion to Remit Judgement (Rec. Doc. No. 68), and Motion for Judgment as a Matter of Law (Rec. Doc. No. 77); for oral reasons rendered,

IT IS ORDERED that Defendant's Motion for New Trial (Rec. Doc. No. 67) and Motion for Judgment as a Matter of Law (Rec. Doc. No. 77) be and are hereby **DENIED**.

IT IS FURTHER ORDERED that Defendant's Motion to Remit Judgment (Rec. Doc. No. 68) be and hereby is **GRANTED** to the extent it seeks the award capped at the applicable statutory limit of \$300,000.00 pursuant to 42 U.S.C. § 1981a(b)(3)(D); the motion is **DENIED** in all other aspects.

IT IS FURTHER ORDERED that the jury's aggregate award of pertinent damages totaling \$450,000.00 is hereby **REDUCED** pursuant

to 42 U.S.C. § 1981a(b) (3) (D), comprised of the total \$250,000.00 in punitive damages awarded by the jury and \$50,000.00 in damages for emotional pain and suffering, inconvenience, mental anguish, and loss of enjoyment of life. The jury's award of \$1000.00 in compensatory damages for back pay and benefits is exempted from the statutory cap by 42 U.S.C. § 1981a(b) (2).

IT IS FURTHER ORDERED that Plaintiff's Motion for Permanent Injunction (Rec. Doc. No. 60) is hereby taken under submission, with written ruling to be issued.

IT IS FURTHER ORDERED that, in view of this Order and opportunity allowed within oral argument to raise all issues, Defendant's Motions for Leave to File Reply Memoranda (Rec. Doc.Nos. 90, 91, 92) be and are hereby **DISMISSED AS MOOT**.

New Orleans, Louisiana, this 24TH day of June, 2011.


UNITED STATES DISTRICT JUDGE