

retired to consider its verdict. On the afternoon of December 2, 2010, the jury returned the following verdict in open court:

INTERROGATORY NO. 1

1. Do you find from a preponderance of the evidence that there was negligence on the part of the Brookfield at Fianna Oaks, LLC, which was the proximate cause of any damages to Maurice Brigance?

ANSWER: NO

/s/ Heather Smith

Foreperson

/s/ Denise Kucharzyk

/s/ Patricia Britt

/s/ Amanda Heim

/s/ John Presser

/s/ Richard Elwin

/s/ Timothy L. Bass

/s/ Marilyn Reese

/s/ James Cuellar

/s/ Jared McGhee

IT IS THEREFORE, CONSIDERED, ORDERED AND ADJUDGED, that the Jury's verdict is hereby confirmed and entered as Judgment in favor of the Defendant, The Brookfield at Fianna Oaks, LLC, d/b/a The Brookfield at Fianna Oaks, on the Amended Complaint of the Plaintiff, Steven A. Brigance, as the Personal Representative of the Estate of Maurice Brigance, Jr., deceased, and on behalf of the wrongful death beneficiaries of Maurice Brigance, Jr. Plaintiff's Amended Complaint should be and hereby is DISMISSED WITH PREJUDICE. No Judgment having been rendered in favor of the Plaintiff against any Defendant, the cross-claims for contribution and indemnity by and between the various Defendants are moot and are hereby dismissed with prejudice. Each party shall bear its own costs expended herein.

IT IS SO ORDERED, this 6<sup>th</sup> day of Dec, 2010.

  
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Hon. James O. Cox, Circuit Judge

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Attorney for Plaintiff

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Attorney for Defendant, The Brookfield at Fianna Oaks, LLC