

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
JACKSONVILLE DIVISION**

GEORGE A. WILLIAMS,
MICHAEL A. PERRYMAN,
MICHAEL B. PRICE, and
JUDY C. SAULS as Personal
Representative for the Estate
of Nolen A. Sauls,

Plaintiffs,

vs.

Case No. 3:00-cv-469-J-32TEM

CONSOLIDATED CITY OF
JACKSONVILLE,

Defendant.

JUDGMENT IN A CIVIL CASE

Pursuant to the jury's verdict, dated March 3, 2006 (Doc. 252), and the Court's Order of May 15, 2006, (Doc. 308), it is hereby

ORDERED AND ADJUDGED:

FINAL JUDGMENT is hereby **ENTERED** in favor of Plaintiffs George A. Williams, Michael A. Perryman, Michael B. Price, and Judy C. Sauls, as Personal Representative for the Estate of Nolen A. Sauls, and against defendant Consolidated City of Jacksonville, as follows:

1. Back Pay

Defendant shall pay back pay to the plaintiffs in the following amounts, consistent with the compensatory damages awards made by the jury:

George A. Williams:	<u>\$58,525.32</u>
Michael A. Perryman:	<u>\$60,642.42</u>
Judy C. Sauls: (Personal Representative)	<u>\$19,828.95</u> ¹
Michael B. Price:	<u>\$64,550.27</u> ²

2. Prejudgment Interest

The Defendant shall pay prejudgment interest to the plaintiffs in the following amounts:

George A. Williams:	<u>\$ 9,143.21</u>
Michael A. Perryman:	<u>\$ 9,396.40</u>
Judy C. Sauls: (Personal Representative)	<u>\$ 4,450.75</u>

¹ This figure includes the increased pension benefits which Plaintiff Sauls would have received through the date of the verdict had Nolen Sauls been promoted to the position of Captain on October 13, 1999. See Def. Ex. 43, pp. 1, 3. Hence any adjustment to pension payments due Plaintiff Sauls pursuant to paragraph 3.C *infra* will be required only with respect to benefits which become due post-judgment.

² The \$22,715.58 difference between this figure and the verdict returned by the Jury is being applied to the adjustment of Plaintiff Price' pension, provided for in paragraph 3.C. *infra*.

Michael B. Price

To be determined by the parties³

3. Injunctive Relief:

A. Promotion:

Each surviving Plaintiff (George Williams, Michael Perryman, Michael Price) shall be promoted by the Defendant to the rank of Rescue Captain, retroactive to October 13, 1999, and shall have seniority at this rank retroactive to that date. If no vacant Rescue Captain position or positions to which management is making a promotion are available on the date this remedy is implemented, plaintiffs shall nonetheless be promoted to the rank of Rescue Captain and be placed in roving Captain assignments, and receive Captain's pay, until such time as a vacancy or vacancies to which management is making a promotion are available, at which time, in order of placement on the 1997 Rescue Captain's promotional examination, they shall be placed in such vacancy or vacancies ahead of other unpromoted Rescue Captain candidates on a promotion list that has not expired.

B. Pre-Judgment Salary Increase and Front Pay:

Each surviving Plaintiff (George Williams, Michael Perryman, Michael Price) shall be awarded, and the Defendant shall pay, the 15 per cent differential salary between his base Lieutenant's pay and a Captain's pay for the period of time from the

³ Defendant shall pay prejudgment interest to Plaintiff Michael B. Price at an amount calculated in accordance with the procedure set forth in this Court's Order dated May 15, 2006. (Doc. 308 at 4 n.2.)

date of the entry of the verdict to the date of entry of judgment. Thereafter, each surviving Plaintiff shall be awarded, and the Defendant shall pay, the 15 per cent differential salary between his base Lieutenant's pay and a Captain's pay, from the date of entry of judgment to the date the injunctive relief set forth herein at Paragraph 3.A., is actually implemented. These sums shall be paid to Plaintiffs in addition to the amounts set forth in Paragraphs 1 and 2 above.

C. Pension:

Defendant is directed to adjust Plaintiffs' (George Williams, Michael Perryman, Judy C. Sauls-Personal Representative, and Michael Price) pension benefits so that when pension benefits are paid, it is an amount that is identical to the pension amount they would have been paid had Plaintiffs Williams, Perryman, Nolen Sauls, and Price been promoted to the rank of Rescue Captain on October 13, 1999. This "make whole" relief is applicable, and requires the City to make contributions, to the extent necessary, if any, in the appropriate amount, to the City's Police and Fire Pension Fund, on behalf of each Plaintiff, to achieve this result (including the lump sum benefit paid upon completion of service occurring after DROP election, if any, in addition to annuity payments), to the extent that such relief has not been provided elsewhere in this Judgment.

4. Post-Judgment Interest:

Defendant shall pay interest on the accrued monetary portions of Plaintiffs' total

recovery commencing on the date of this Judgment and any unaccrued monetary portions when they accrue, continuing until this Judgment is satisfied, as provided in 28 U.S.C. § 1961.

Execution and implementation of this Judgment will be deferred until the Court rules on the expected post trial motions.

DONE AND ORDERED at Jacksonville, Florida, this 15th day of May, 2006.


TIMOTHY J. CORRIGAN
United States District Judge

j.
Copies to:
Counsel of Record