

NO. 2016-19872

CHARLEEN KIMBALL,

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IN THE DISTRICT COURT

Plaintiff,

11th JUDICIAL DISTRICT

v.

OF HARRIS COUNTY, TEXAS

**LOIS FURMAN;
and SAM PHILLIPS,**

Defendants.

FINAL JUDGMENT

On September 19, 2016, this Court entered interlocutory judgment against Defendant Phillips.

When damages are unliquidated, the court must hold a hearing and receive evidence on damages before it can render a final judgment. Tex. R. Civ. P. 243; *Holt Atherton Indus. v. Heine*, 835 S.W.2d 80, 83 (Tex.1992); *Argyle Mech., Inc. v. Unigus Steel, Inc.*, 156 S.W.3d 685, 688 (Tex.App.—Dallas 2005, no pet.). On April 3, 2018, the Court heard Plaintiff’s Motion to Determine Unliquidated Damages on the Part of Sam Phillips.

After considering plaintiff’s motion, the pleadings, and testimony, the Court is of the opinion that the Motion should be GRANTED. It is therefore

ORDERED that Plaintiff recover from Defendant Phillips the following:

- 1) actual damages in the principal amount of **\$1,459,200.44.**
- 2) Pain and suffering: \$ 100,000.00.
- 3) Punitive damages: \$ 500,000.00.
- 4) Pre-judgment interest at the rate of five percent (5%) per annum, from March 29, 2016 through April 3, 2018.

Defendant Sam Phillips

- 5) ORDERED that Plaintiff recover from ~~Defendant~~ post-judgment interest on the

amounts awarded to Plaintiff in the preceding paragraphs at the rate of five percent (5%) per annum, from the date of the judgment until paid. It is further

6) ORDERED that Plaintiff be allowed such other writs and processes as may be necessary in the enforcement and collection of this Judgment.

Any and all relief not granted is hereby denied.

This is a final judgment which disposes of all parties and issues and may be appealed.

SIGNED this _____ day of April, 2018.

Signed: 
7/16/2018

Judge Presiding



I, Chris Daniel, District Clerk of Harris County, Texas certify that this is a true and correct copy of the original record filed and or recorded in my office, electronically or hard copy, as it appears on this date.

Witness my official hand and seal of office this September 10, 2018

Certified Document Number: 80797662 Total Pages: 3

Chris Daniel, DISTRICT CLERK
HARRIS COUNTY, TEXAS

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