

5-1-19
D Romano
D Cook Jr

IN THE CIRCUIT COURT OF HARRISON COUNTY, WEST VIRGINIA

**JOSEPH M. JENKINS, and
STEPHANIE D. JENKINS,**
Plaintiffs,

Civil Action No. 18-C-65-1
Judge Christopher J. McCarthy

v.

SAFECO INSURANCE COMPANY OF AMERICA,
a foreign corporation,
LIBERTY MUTUAL INSURANCE COMPANY,
a foreign corporation,
SARA ABELL,
RHONDA RUTLEDGE,
TESSA ANN JORDAN, and,
LYNN JORDAN,
Defendants.

JUDGMENT ORDER ON JURY VERDICT

On the 2nd day of April, 2019, came the Plaintiffs, Joseph M. Jenkins and Stephanie D. Jenkins, in person and with their attorney, David J. Romano of Romano Law Office, LC, and came also the Defendants, Tessa Ann Jordan and Lynn Jordan, in person and with their attorney, David P. Cook, Jr., of MacCorkle Lavender, PLLC. The case having been matured for trial on said date, thereupon came a jury consisting of the following named persons, who were duly selected according to law, and who were duly sworn to well and truly try the issues joined, and a true verdict rendered according to the evidence:

- 1) Kevin D. Deberry
- 2) Rebecca A. Chipps
- 3) Lynn Y. Tracy
- 4) Patrick J. Belcastro
- 5) Lauren H. Ramsey
- 6) Charles J. Horn

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FILED
MAY 1 2019
HARRISON COUNTY, WV



The issues were tried before the Court and jury on April 2, 2019. At the conclusion of all of the evidence and after hearing the instructions of the Court and the argument of counsel, the jury retired to their chambers to consider the verdict as to the Parties to this action , and after some time, returned to the Court and upon their oaths presented their verdict as stated below:

“VERDICT FORM

1. We, the Jury, find by a preponderance of the evidence, that the Plaintiffs’ compensatory and general damages are as follows:

Plaintiff Joe Jenkins’ Medical Expenses	\$	<u>2,970.00</u>
Lost Wages of Plaintiff Joe Jenkins	\$	<u>600.00</u>
Damages for loss of use of Plaintiffs’ automobile	\$	<u>33,358.98</u>
Aggravation and inconvenience	\$	<u>12,000.00</u>
Loss of consortium of Stephanie Jenkins	\$	<u>8,000.00</u>
 TOTAL	 \$	 <u>56,928.98</u>

/s/ Kevin D. Deberry
Jury Foreperson

04/02/2019
Date”

Accordingly, it is **ADJUDGED** and **ORDERED** that the Plaintiffs, recover from the Defendants, Tessa Ann Jordan and Lynn Jordan, jointly and severally, as compensatory and general damages, the sum of \$56,928.98 with pre-judgment interest of \$2,431.24 on the liquidated damages

of \$36,928.98, calculated at the legal rate of 4.5% per annum on those liquidated damages specified on the Jury Verdict Form, which results in a total judgement of \$59,360.22 which judgement bears post-judgement interest of \$7.32 per day, from and including April 3, 2019 until paid.

It is further **ADJUDGED** and **ORDERED** that the Plaintiffs will recover their costs from the Defendants as taxable and assessed under the law of this State and Plaintiffs should provide to the Circuit Clerk a Bill of Costs within 10 days after the entry of this Judgment Order. The Defendants are also **ORDERED** to pay all costs as assessed by the Clerk as a matter of law for this jury trial.

The objections and exceptions of the Defendants to this Judgment Order are noted herein.

The Clerk is directed to send a certified copy of this Order to the below identified counsel of record.

David J. Romano, Esquire
Romano Law Office, LC
363 Washington Avenue
Clarksburg, WV 26301

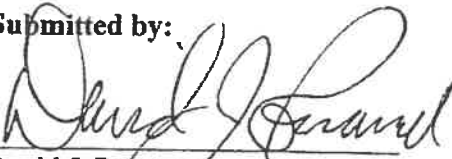
David P. Cook, Jr., Esquire
Michelle Rae Johnson, Esquire
MacCorkle Lavender, PLLC
300 Summers Street, Suite 800
PO Box 3283
Charleston WV 25332-3283

ENTER: 5/1/19



JUDGE CHRISTOPHER J. MCCARTHY

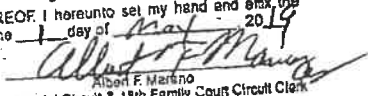
Submitted by:



David J. Romano
W.Va. State Bar ID No. 3166
Counsel for Plaintiffs

STATE OF WEST VIRGINIA,
COUNTY OF HARRISON, TO-WIT:
I, Albert F. Marano, Clerk of the 15th Judicial Circuit and the
18th Family Court Circuit of Harrison County, West Virginia, hereby
certify the foregoing to be a true copy of the ORDER entered in the
above styled action on the 1 day of May, 2019.

IN TESTIMONY WHEREOF, I hereunto set my hand and affix the
Seal of this Court this the 1 day of May, 2019.



Albert F. Marano
15th Judicial Circuit & 18th Family Court Circuit Clerk
of Harrison County, West Virginia