

IN THE CIRCUIT COURT OF MARION COUNTY MISSOURI
AT PALMYRA, MISSOURI

FILED

DEC 31 2024

Cheryl L. Damron, Circuit Clerk
Marion Co., Palmyra, MO District 1

JAMES GRAHAM

Plaintiff

vs.

Case No. 20MM-CV00011

GIVAUDAN FLAVORS CORP.

Defendant

AMENDED JUDGMENT

NOW on this 12th day of November, 2024 came the Plaintiff, by his attorneys Ben Fadler Steven Ketchmark, and Griffin Albaugh, and the Defendant, by corporate representative and by attorneys Kim Ramundo, Diane Goderre, Emily Montion, and Tom Hayde.

On the morning of November 12, 2024, the parties announced ready for trial.

In chambers, out of the presence of the jury, the Court took up certain matters, as reflected by the record.

The trial proceeded in open Court and the Court made opening remarks and read MAI-Civil 2.00(A). *Voir Dire* proceeded and was completed. A jury of twelve persons and nine alternates was selected to try the case. At each recess and at the end of each day, the jury was read a cautionary instruction based on MAI-Civil 2.00(B). After some recesses, matters were taken up with counsel outside the presence of the jury on the record.

The jury was sworn, and the Court recessed for the evening.

The trial resumed on November 13, 2024. Defendant's motion for emergency continuance was denied. Defendant's motion to recess for the day was granted. The Court recessed for the day. The trial resumed on November 14, 2024. Counsel for Plaintiff and Defendant presented opening statements. The Plaintiff adduced evidence. The Court recessed for the day. The trial resumed on November 15, 2024. The Plaintiff continued to adduce evidence and then rested. Two alternate jurors were excused. Out of the presence of the jury and on the record, the Defendant moved for a directed verdict, which the Court overruled and denied.

The trial resumed November 18, 2024. Before beginning, an alternate juror was excused. Defendant adduced evidence. The Court recessed for the day. An alternate juror was excused.

The trial resumed November 19, 2024. The Defendant adduced evidence. The Court recessed for the day.

The trial resumed November 20, 2024. The Defendant adduced evidence. The Court recessed for the day. Later in the evening, the Court held an instruction conference and reviewed exhibits via a Webex conference.

The trial resumed November 21, 2024. The Defendant rested. The Plaintiff presented no rebuttal evidence. The Defendant's Motion for Directed Verdict at the Close of Evidence was overruled.

An instruction conference was held with the Court. The jury was instructed by the Court. The attorneys made their closing arguments. The Bailiff was sworn in, the alternate jurors were released, and the jury retired to deliberate.

The jury returned into open Court and returned verdicts for the Plaintiff on Verdict Form, awarded Plaintiff Compensatory damages in the amount of \$2,000,000.00 and found Defendant "is" liable for punitive damages. The Verdict form was signed by nine jurors. The Court recessed for the next phase of the trial.

An instruction conference was held outside the presence of the jury. The jury was instructed by the Court. The attorneys made closing arguments regarding punitive damages. The jury retired to deliberate.

The jury returned in open Court and returned a verdict assessing punitive damages against Defendant Givaudan Flavors Corporation at \$56,631,960.00 on Verdict Form B.

The Verdict Form was signed by nine jurors

Prior to trial in this matter, Plaintiff settled with dismissed defendants for a total of \$470,500.00. Pursuant to RSMo. § 537.060, the Judgment for compensatory damages entered against Defendant Givaudan Flavors Corporation is hereby reduced by \$470,500.00, which leaves a total judgment of compensatory damages of \$1,529,500.

IT IS FURTHER ORDERED that post-judgment interest will run on the amount of Plaintiff's judgment from November 21, 2024, until full satisfaction at the statutory rate of 9.58 percent.

Costs shall be paid by Defendant.

SO ORDERED.



Dated: December 31, 2024

Rachel L. Bringer Shepherd
Presiding Circuit Judge