

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO

Civil Action No.: 15-cv-01389-WYD-STV

JEANNE STROUP; and  
RUBEN LEE,

Plaintiffs,

v.

UNITED AIRLINES, INC.,

Defendant.

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AMENDED FINAL JUDGMENT

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THIS MATTER came before the Court and a jury of ten duly sworn to try the matter on February 26, 2018 the Honorable Wiley Y. Daniel, Senior United States District Judge, presiding. On February 27, 2018, one juror was excused and a jury of nine continued to try the matter. On February 28, 2018, one juror was excused and a jury of eight continued to try the matter. On March 1, 2018, one juror was excused and a jury of seven continued to try the matter. On March 5, 2018, the jury returned its verdict as follows:

**Verdict Form**

We, the Jury, being duly impaneled and sworn to try the above-entitled case, unanimously find the following answers to the questions submitted by the Court:

**PART I - Plaintiff Jeanne Stroup**

1. Has Plaintiff Jeanne Stroup proven by a preponderance of the evidence that Defendant United Airlines discriminated against her because of her age, in violation of the ADEA?

Answer: Yes

If your answer to Question 1 is "yes", then you have found for Plaintiff Jeanne Stroup on her claim of discrimination based on age; therefore, proceed to answering Questions 2-4. If your answer is "no" to Question 1, then skip Questions 2-4, and go to Part II.

2. Do you find that Plaintiff Stroup should be awarded as back pay damages in an amount that reasonably compensates Plaintiff Stroup for any lost wages and benefits, taking into consideration any increases in salary and benefits that Plaintiff Stroup would have received had she not been discriminated against on the basis of age?

Answer: Yes

If your answer to Question 2 is "yes", what amount of back pay damages do you award her?

\$312,474.00

3. You must reduce any award of back pay damages by any amount Plaintiff Stroup earned or could have earned by reasonable effort after she left her employment with Defendant. Do you find that Plaintiff Stroup's back pay damages award should be reduced?

Answer: Yes

If your answer to Question 3 is "yes", what amount should be used to reduce (or offset) the amount of back pay damages that you inserted above (in response to Question 2)?

\$97,995.00

4. Do you find that Plaintiff Jeanne Stroup proved by a preponderance of the evidence that Defendant United willfully violated the law that prohibits age discrimination with its actions related to Plaintiff Stroup?

Answer: Yes

**PART II – Plaintiff Ruben Lee**

5. Has Plaintiff Ruben Lee proven by a preponderance of the evidence that Defendant United Airlines discriminated against him because of his age, in violation of the ADEA?

Answer: Yes

If your answer to Question 5 is "yes", then you have found for Plaintiff Ruben Lee on his claim of discrimination based on age; therefore, proceed to answering Questions 6-8. If your answer is "no" to Question 5, then skip Questions 6-8, and sign and date the verdict form below (you are done).

6. Do you find that Plaintiff Lee should be awarded as back pay damages in an amount that reasonably compensates Plaintiff Lee for any lost wages and benefits, taking into consideration any increases in salary and benefits that Plaintiff Lee would have received had he not been discriminated against on the basis of age?

Answer: Yes

If your answer to Question 6 is "yes", what amount of back pay damages do you award him?

Answer: \$317,779.00

7. You must reduce any award of back pay damages by any amount Plaintiff Lee earned or could have earned by reasonable effort after he left his employment with Defendant. Do you find that Plaintiff Lee's back pay damages award should be reduced?

Answer: Yes

If your answer to Question 7 is "yes", what amount should be used to reduce (or offset) the amount of back pay damages that you inserted above (in response to Question 6)?

Answer: \$122,227.00

8. Do you find that Plaintiff Ruben Lee proved by a preponderance of the evidence that Defendant United willfully violated the law that prohibits age discrimination with its actions related to Plaintiff Lee?

Answer: Yes

**PLEASE SIGN AND DATE THE VERDICT FORM**

Pursuant to and in accordance with Fed. R. Civ. P. 58(a) and the Order on Damages, filed October 17, 2018, by the Honorable Wiley Y. Daniel, Senior United States District Judge, and incorporated herein by reference as if fully set forth, it is hereby

ORDERED that judgment is hereby entered in favor of Plaintiff, Jeannie Stroup, and against Defendant, United Airlines, Inc., as to back pay in the total amount of \$214,479.00 on Plaintiff's claim of age discrimination. It is further

ORDERED that Jennie Stroup is awarded liquidated damages in the amount of \$214,479.00. It is further

ORDERED that Jeannie Stroup is awarded front pay in the amount of \$314,711.00. It is further

ORDERED that Jeannie Stroup is awarded a tax penalty offset of \$66,070.00. It is further

ORDERED that post-judgment interest shall accrue on the total amount of \$809,739.00 at the legal rate of 2.66% per annum from the date of entry of judgment. It is further

ORDERED that judgment is hereby entered in favor of Plaintiff, Ruben Lee, and against Defendant, United Airlines, Inc., as to back pay in the total amount of \$195,552.00 on Plaintiff's claim of age discrimination. It is further

ORDERED that Ruben Lee is awarded liquidated damages in the amount of \$195,552.00. It is further

ORDERED that Ruben Lee is awarded front pay in the amount of \$206,862.00. It is further

ORDERED that Ruben Lee is awarded a tax penalty offset of \$30,417.00. It is further

ORDERED that post-judgment interest shall accrue on the total amount of \$628,383.00 at the legal rate of 2.66% per annum from the date of entry of judgment. It is further

ORDERED that Plaintiffs shall have their costs by the filing of a Bill of Costs with the Clerk of this Court within fourteen (14) days of entry of judgment, and pursuant to the procedures set forth in Fed. R. Civ. P. 54(d)(1) and D.C.COLO.LCivR 54.1.

DATED at Denver, Colorado this 19th day of October, 2018.

FOR THE COURT:

JEFFREY P. COLWELL, CLERK

*s/ Robert R. Keech* \_\_\_\_\_

Robert R. Keech,  
Deputy Clerk

APPROVED AS TO FORM:

*s/ Wiley Y. Daniel* \_\_\_\_\_

WILEY Y. DANIEL,  
SENIOR UNITED STATES DISTRICT JUDGE