

EXHIBIT C

FILED Aug 08 2014 Bronx County Clerk

At a TRIAL TERM Part 29 of the Supreme Court of the State of New York, held in and for the County of Bronx, at the Courthouse located at 851 Grand Concourse., Bronx, New York, on the 31st day of July, 2014.

PRESENT: HONORABLE ROBERT E. TORRES

ROBERT E. TORRES, Justice.

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AUG 07 2014

Judgment Department AMENDED JUDGMENT

LUIS MOLINA,

Plaintiff,

-against-

NEW YORK CITY TRANSIT AUTHORITY

Index No.: 303734/2009

Defendant,

The above entitled action having duly come on for a trial before the HONORABLE ROBERT E. TORRES, a justice of this court, and a jury at a TRIAL TERM Part 29 hereof beginning on the 20th day of October, 2011 and ending on the 27th day of October, 2011, and the plaintiff, LUIS MOLINA having appeared by his attorney BURNS & HARRIS by SETH HARRIS, ESQ., and the defendant NEW YORK CITY TRANSIT AUTHORITY having appeared by SMITH & LAQUERCIA by THOMAS LAQUERICA, trial counsel to WALLACE D. GOSSETT, ESQ.,

AND, the issues having been duly tried, and the jury, after due deliberation, having returned a verdict on the 27th day of OCTOBER, 2011, finding in favor of the plaintiff, LUIS MOLINA and against the defendant NEW YORK CITY TRANSIT AUTHORITY, and the

FILED Aug 08 2014 Bronx County k

jury having awarded damages as follows:

Past Damages

Pain and suffering:	\$ 600,000.00
Lost income:	\$ 100,000.00
Medical expense:	\$ 10,000.00

Future Damages

Pain and suffering:	\$ 1,300,000.00 over 27 years [reduced to 10 years by CPLR 5041(e)]
Lost income:	\$ 550,000.00 over 11 years
Medical expense:	\$ 50,000.00 over 2 years
Total Award	\$ 2,610,000.00

AND the Court having entered judgment on July 25, 2012,

AND in a decision dated March 4, 2014, the Appellate Division, First Department, having reduced the award for future pain & suffering from \$1,300,000.00 to \$800,000.00,

AND the applicable interest rate to be 3% on the judgment and the discount rates used to determine the present value of the future damages are to be 0.31% for the two year award and 2.42% for the ten and eleven year awards;

FILED Aug 08 2014 Bronx County rk

NOW, on motion of **SETH HARRIS, ESQ.**, attorney for plaintiff **LUIS MOLINA**, it

is

ORDERED AND ADJUDGED, that plaintiff **LUIS MOLINA** residing at 1683 Lafayette Avenue, Bronx, New York recover and have judgment against the defendant **NEW YORK CITY TRANSIT AUTHORITY** located at 130 Livingston St., Brooklyn, New York 11201 the lump sum of **SIX HUNDRED THIRTY SIX THOUSAND FIVE HUNDRED EIGHTY NINE DOLLARS AND FIFTY FIVE CENTS (\$636,589.55)** said amount representing the net lump sum awarded to plaintiff for past damages in the amount of \$470,811.02 and plaintiff's share of the first \$250,000 of future damages paid in cash in the amount of \$165,778.53. All amounts are after deduction of attorney's fees and litigation expenses. Interest shall accrue on said amount of \$636,589.55 from the date of verdict, October 27, 2011 to the entry of judgment on July 25, 2012 for 273 days totaling \$14,482.41, costs and disbursements as taxed by the Clerk in the sum of \$1,420.00 making a total of \$652,491.96, and have execution therefore,

IT IS FURTHER ORDERED AND ADJUDGED, that the plaintiff **LUIS MOLINA**, recover and have judgment against the defendant **NEW YORK CITY TRANSIT AUTHORITY** the sum of **SEVEN HUNDRED TWENTY TWO THOUSAND EIGHT HUNDRED THIRTY SEVEN DOLLARS AND NINETY THREE CENTS (\$722,837.93)** for attorney's fees and **ELEVEN THOUSAND TWO HUNDRED FORTY THREE DOLLARS AND EIGHTY THREE CENTS (\$11,243.83)** for litigation expenses, plus interest from the date of October 27, 2011 to the entry of judgment on July 25, 2012 for 273

FILED Aug 08 2014 Bronx County (/k

days totaling \$16,700.36, for a total payment of \$750,782.12, and have execution therefore,

IT IS FURTHER ORDERED AND ADJUDGED, that plaintiff **LUIS MOLINA** has judgment against the defendant **NEW YORK CITY TRANSIT AUTHORITY** in the amount of **EIGHT HUNDRED NINE THOUSAND EIGHTY SIX DOLLARS AND THIRTY ONE CENTS (\$809,086.31)** representing the present value of the award to Plaintiff for future damages after deduction of attorneys fees and litigation expenses, and recover interest from the verdict date of October 27, 2011 to the entry of judgment on July 25, 2012 for 273 days totaling \$18,406.71, and

IT IS FURTHER ORDERED AND ADJUDGED that based on the above award in the amount of **EIGHT HUNDRED NINE THOUSAND EIGHTY SIX DOLLARS AND THIRTY ONE CENTS (\$809,086.31)**, the defendant **NEW YORK CITY TRANSIT AUTHORITY** be and hereby is directed to offer and purchase and guarantee payment to Plaintiff of an annuity contract by an insurance carrier, designated as qualified by the Superintendent of Insurance, of the following annual payments in equal monthly installments in advance as follows:

- (a) For future pain and suffering – **FORTY THREE THOUSAND FIVE HUNDRED SEVENTY SIX DOLLARS AND EIGHT CENTS (\$43,576.08)** per annum in equal monthly installments, payable in advance, and commencing retroactively as of October 27, 2011 in the amount of **THREE THOUSAND SIX HUNDRED THIRTY ONE DOLLARS AND THIRTY FOUR CENTS**

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