

FILED

JAN 28 2011

JOAN M. GILMER
CIRCUIT CLERK, ST. LOUIS COUNTY

STATE OF MISSOURI)
) SS
COUNTY OF ST. LOUIS)

IN THE CIRCUIT COURT OF ST. LOUIS COUNTY, MISSOURI
CIRCUIT JUDGE DIVISION

"C.W.")	
)	
and)	
)	Cause No.: 10SL-CC00169
"J.B.")	
)	DIV:10
)	
Plaintiffs,)	
)	
vs.)	
)	
ERIC T. TOLEN)	
)	
Defendant.)	

AMENDED FINAL JUDGMENT

Cause is called for bench trial on September 9, 2010. Plaintiffs appear in person and by Counsel. Defendant Tolen does not appear personally and has no counsel of record.

The court takes judicial notice of Defendant Tolen’s felony convictions in cause number 07SL-CR02791-01, State of Missouri v. Eric Tolen, which are the basis for this civil cause of action.

The Court takes judicial notice of the July 28, 2010 Order in this cause finding Defendant Tolen to be in default due to his non-compliance with this Court’s prior orders.

Given the above, the Court determines Mr. Tolen’s appearance is not necessary in this cause and that pursuant to RSMO §491.230 Mr. Tolen will not be substantially or irreparably prejudiced by not being present at this trial.

The matter is called and evidence is adduced.

After considering the evidence, the Court finds as follows:

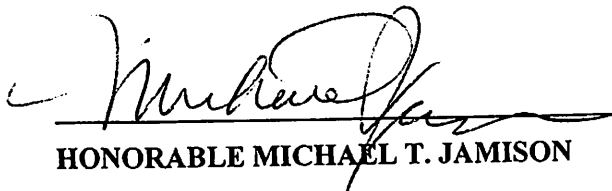
On Count I, C.W. v. Eric Tolen for assault, the Court enters judgment in favor of Plaintiff in the amount of \$14,500,000.00 for compensatory damages. On Plaintiff’s claim for punitive damages, the Court awards \$520,000.00.

On County II, J.B. v. Eric Tolen for assault, the Court enters judgment in favor of Plaintiff in the amount of \$14,500,000.00 for compensatory damages. On Plaintiff's claim for punitive damages, the Court awards \$520,000.00.

The Court awards Plaintiff's their taxable court costs and shall be taxed as costs against Defendant. The Court Orders the circuit clerk to issue a tax bill upon Defendant Tolen in accordance with Rule 77.01 and execution may lie against Defendant for the same under Rule 77.06.

Interest shall bear upon this judgment on all tort claims (Counts I and II) at the federal funds rate as of the date of Judgment, that being 0.25% plus 5% for an effective interest rate of 5.25% until said judgment is satisfied pursuant to RSMO 408.040(2).

SO ORDERED:



HONORABLE MICHAEL T. JAMISON DATE

1-28-11