

U.S. DISTRICT COURT
DISTRICT OF VERMONT
FILED

United States District Court

District of Vermont

2007 APR 16 P 12:29

FAB-TECH, INC.,

Plaintiff,

v.

E.I. DU PONT DE NEMOURS AND COMPANY,

Defendant.

CLERK KAK
BY
DEPUTY CLERK

JUDGMENT IN A CIVIL CASE

CASE NUMBER: 1:04-CV-275

X **Jury Verdict.** This action came before the Court for trial by jury. The issues have been tried and the jury has rendered its verdict.

 Decision by Court. This action came to trial or hearing before the Court. The issues have been tried or heard and a decision has been rendered.

IT IS ORDERED AND ADJUDGED that pursuant to the Verdict Form (Doc. No. 168) dated April 13, 2007, plaintiff Fab-Tech, Inc. has proven by a preponderance of evidence that the defendant E.I. Du Pont De Nemours and Company breached the parties' 2000 contract and breached the covenant of good faith and fair dealing of the 2000 contract. Compensatory damages are awarded in the amount of One Million Three Hundred Thousand Dollars (\$1,300,000) and punitive damages are awarded in the amount of One Million Dollars (\$1,000,000).

JUDGMENT is hereby entered for plaintiff Fab-Tech, Inc. against Defendant E.I. Du Pont De Nemours and Company in the amount of Two Million Three Hundred Thousand Dollars (\$2,300,000) for total damages.

The effective post-judgment interest rate is: 4.94 percent.

Date: April 16, 2007

Clerk

RICHARD PAUL WASKO

Kathleen Kontage
(By) Deputy Clerk

Judgment entered on docket

4-16-2007

UNITED STATES DISTRICT COURT

OFFICE OF THE CLERK

DISTRICT OF VERMONT

FEDERAL BUILDING

BURLINGTON, VERMONT 05402-0945

RICHARD PAUL WASKO
CLERK

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Civil Action No. 1:04-CV-275

Date April 16, 2007

Fab-Tech, Inc. vs. E.I. Du Pont de Nemours and Co.


NOTICE TO LITIGANTS

If you wish to appeal the enclosed judgment or order, you must file a Notice of Appeal within 30 days after entry of the judgment or order appealed from (or 60 days if the United States or an officer or agency of the United States is a party). Fed.R.App.P. 4(a)(1). The fee for filing an appeal is \$455.00.

If you wish to appeal but are unable to file your Notice of Appeal within 30 days [or 60 days if applicable] after the date of entry shown on line 2 below, then you have an additional 30 days to file a Motion for Extension of Time. The Motion for Extension of Time **must** be filed within 30 days after the date on line 3 below. Every Motion for Extension of Time must contain an explanation which demonstrates "good cause" or "excusable neglect" for failure to file the Notice of Appeal within the time limit required. Fed.R.App.P. 4(a)(5).

PLEASE TAKE NOTICE

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|--|-----------------------|
| 1. Judgment filed | <u>April 16, 2007</u> |
| 2. Date of Entry of Judgment on the docket of this court | <u>April 16, 2007</u> |
| 3. Notice of Appeal MUST be filed on or before | <u>May 16, 2007</u> |


Deputy Clerk