

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ALABAMA  
SOUTHERN DIVISION

USX CORPORATION, et al.,	)	
	)	
Plaintiffs,	)	
	)	
vs.	)	CIVIL ACTION NUMBER
	)	
TIECO, INC., et al.,	)	95-C-3237-S
	)	
Defendants.	)	

**FINAL JUDGMENT**

In its Special Verdict, the Jury found as follows:

1. Plaintiff USX Corporation, in violation of Alabama law, engaged in a civil conspiracy with the Office of the Attorney General of the State of Alabama to unlawfully use the criminal process against Defendant TIECO to enhance its position in this civil case, and/or to utilize a search warrant to obtain the Defendant TIECO's business records and then to turn those records over to USX for its use in this case.
2. Plaintiff USX Corporation, acting under color of the authority of the State of Alabama by the authority conferred the Office of the Attorney General of Alabama, intentionally deprived Defendant TIECO of its federal constitutional rights under 42 U.S.C. § 1983.
3. Plaintiff USX Corporation maliciously prosecuted Defendant TIECO.
4. Plaintiff USX Corporation abused one or more of the processes of court, in violation of Defendant TIECO's rights under Alabama law.
5. Plaintiff USX Corporation defamed Defendant TIECO.
6. Plaintiff USX Corporation intentionally interfered with the business relationships of Defendant TIECO.

7. Plaintiff USX Corporation defamed Defendant Fletcher Yeilding.

8. Defendant TIECO suffered compensatory damages in the amount of Three Million Four Hundred Thousand Dollars (\$3,400,000.00) as a proximate result of Plaintiff USX's violation of various laws of the State of Alabama.

9. For USX Corporation's violation of TIECO's rights under the laws of Alabama, TIECO is entitled to One Million Seven Hundred Thousand Dollars (\$1,700,000.00) as punitive damages.

10. For USX Corporation's intentional violation of 42 U.S.C. § 1983, TIECO is entitled to One Million Seven Hundred Thousand Dollars (\$1,700,000.00).

11. Defendant Fletcher Yeilding suffered One Hundred Twenty-Five Thousand Dollars (\$125,000) in compensatory damages as a proximate result of USX's defamation.

12. Defendant Fletcher Yeilding is entitled to Two Hundred Fifty Thousand Dollars (\$250,000.00) as punitive damages.

Based on the findings of the Jury, as embodied in its Special Verdict, judgments as a matter of law previously dictated into the record at the close of the evidence, and the contemporaneous Memorandum Opinion, **FINAL JUDGMENT** is hereby entered as follows:

1. Plaintiff Heatherwood Golf Club, Inc., shall have and recover nothing of the Defendants.

2. The claims of Plaintiff USX Corporation against Defendants TIECO, Inc., and ATOZ Management, Inc., are hereby **DISMISSED**, with prejudice, as a sanction.

3. Defendant/counterclaimant TIECO, Inc., shall have and recover from Plaintiff/counterdefendant USX Corporation the sum of Three Million Four Hundred Thousand Dollars (\$3,400,000.00) as compensatory damages and Three Million Four Hundred Thousand Dollars (\$3,400,000.00) as punitive damages.

4. Defendant/counterclaimant FLETCHER YEILDING shall have and recover from Plaintiff/counterdefendant USX Corporation the sum of One Hundred Twenty-Five Thousand Dollars (\$125,000.00) as compensatory damages and Two Hundred Fifty Thousand Dollars (\$250,000.00) as punitive damages.

5. On its claim brought under 42 U.S.C. § 1983, Defendant/counterclaimant TIECO is entitled to a reasonable attorney's fee, to be hereafter set by the Court in the absence of agreement between the parties. Within fifteen (15) days of the date of this Order, counsel for TIECO shall file a statement of their hours expended, services rendered, expenses incurred, and fee demanded on the civil rights claim. The Court shall subsequently set down the matter for hearing.

The costs of this action are hereby taxed against Plaintiff USX Corporation.

DONE this 9th day of November, 1999.

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UNITED STATES DISTRICT JUDGE  
U. W. CLEMON