

CAUSE NO. D-1-GN-97-012163

TEXAS DISPOSAL SYSTEMS
LANDFILL, INC.
Plaintiff,

vs.

WASTE MANAGEMENT OF
TEXAS, INC.,
Defendant.

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IN THE DISTRICT COURT OF

TRAVIS COUNTY, TEXAS

126th JUDICIAL DISTRICT

Filed in The District Court
of Travis County, Texas
JL DEC 09 2010
AL 3423
Amalia Rodriguez-Mendoza, Clerk

FINAL JUDGMENT

On October 25, 2010, this cause was called for trial on the merits. Plaintiff and Defendant appeared by their respective counsel of record and by their respective corporate representatives and announced ready. A jury having been demanded, 12 jurors and one alternate juror were empaneled. The Court denied the respective motions for directed verdict filed by Defendant and by Plaintiff at the close of Plaintiff's and Defendant's respective cases-in-chief. Following the close of evidence and closing arguments, the alternate juror was excused. All issues not previously resolved by partial summary judgment were submitted to the jury. The jury returned its verdict on November 5, 2010. The verdict is incorporated by reference. The jury having found defamation, falsity, actual malice, defamation *per se*, statutory malice, actual damages, and exemplary damages, it is

ORDERED, ADJUDGED and FINALLY DECREED that Plaintiff Texas Disposal Systems Landfill, Inc., have and recover from and against Defendant Waste

Management of Texas, Inc. the amount of \$7,101,776.09 (consisting of actual damages in the amount of \$5,450,592.03, plus exemplary damages of \$1,651,184.06); and it is

FURTHER ORDERED, ADJUDGED and FINALLY DECREED that Plaintiff Texas Disposal Systems Landfill, Inc., have and recover from and against Defendant Waste Management of Texas, Inc. prejudgment interest in the amount of \$3,579,470.99 (for the time period from the filing of Plaintiff's original petition through December 9, 2010) plus \$746.656 per diem for each day, if any, from December 9, 2010, through the date of this Final Judgment; and it is

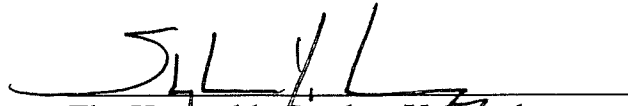
FURTHER ORDERED, ADJUDGED and FINALLY DECREED that Plaintiff Texas Disposal Systems Landfill, Inc., have and recover its costs of Court from and against Defendant Waste Management of Texas, Inc., against whom all costs of Court are taxed; and it is

FURTHER ORDERED, ADJUDGED and FINALLY DECREED that Plaintiff Texas Disposal Systems Landfill, Inc., have and recover from and against Defendant Waste Management of Texas, Inc. post-judgment interest on the total of the foregoing at the rate of 5 percent per annum (with compounding as allowed at law) from the date of this Final Judgment until paid.

The Clerk shall issue such writs and processes as may be necessary or appropriate for the enforcement and collection of this Judgment and/or the costs of Court.

All relief not granted herein is DENIED. This is a final and appealable judgment, that disposes of all claims by and against all parties.

Signed this 9th day of December, 2010.


The Honorable Stephen Yelenosky
District Judge Presiding

APPROVED AS TO FORM ONLY:

John J. McKetta III
Attorney for Plaintiff

William W. Ogden
Attorney for Defendant

Filed in The District Court
of Travis County, Texas

JL DEC 09 2010
At _____
Amelia P. ...