UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
Miami Division

CASE NO. 97-3924-CIV-SIMONTON
(Consent Case)

FILED BY
2005 NOV 23 PM 2:30
CLARENCE MADDOX
CLERK U.S. DIST. CT.
S.D. OF FL. - MIAMI

JERRY GREENBERG, individually,

Plaintiff,

vs.

NATIONAL GEOGRAPHIC SOCIETY, a District of Columbia corporation, NATIONAL GEOGRAPHIC ENTERPRISES, INC., a corporation, and MINDSCAPE, INC., a California corporation,

Defendants.
_____/

PLAINTIFF'S MOTION TO AMEND FINAL JUDGMENT

Plaintiff, JERRY GREENBERG ("Greenberg"), moves pursuant to Rule 59(e), Federal Rules of Civil Procedure, for an amendment to the Final Judgment to include prejudgment interest.

On November 16, 2005, the Court entered Final Judgment in this cause. On the same date, the Court entered an Order granting Greenberg's motion for entry of judgment. The motion had asked the Court, among other things, to retain jurisdiction for the purpose of considering prejudgment interest. In the Order, the Court authorized Greenberg, pursuant to Rule 59(e), to file a motion seeking an amendment of the Final Judgment to include prejudgment interest.

Greenberg's memorandum of law in support of this motion is in preparation. Pursuant to the Court's November 16, 2005 Order, a separate motion is being filed that seeks an extension of time for preparation of the memorandum.

Respectfully submitted,

SQUIRE, SANDERS & DEMPSEY L.L.P.
Attorneys for Plaintiff

Norman Davis, Esq. Fla. Bar No. 475335
200 S. Biscayne Boulevard, Suite 4000
Miami, FL 33131
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305.577.7001 (fax)

Certificate of Service

I hereby certify that a copy of the foregoing motion was served by mail on Jennifer G. Altman, Esq., Boies, Schiller & Flexner LLP, 2800 Bank of America Tower, 100 Southeast Second Street, Miami, FL 33131; and on Robert G. Sugarman, Esq., Weil, Gotshal & Manges LLP, 767 Fifth Avenue, New York NY 10153 this 23rd day of November 2005.

Norman Davis

FILED by [illegible] D.C.
NOV 16 2005
CLARENCE MADDOX
CLERK U.S. DIST. CT.
S.D. OF FLA.

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 97-3924 CIV-LENARD/SIMONTON

CONSENT CASE

CLOSED CIVIL CASE

JERRY GREENBERG,

Plaintiff,

v.

NATIONAL GEOGRAPHIC SOCIETY,
NATIONAL GEOGRAPHIC ENTERPRISES, INC.
and MINDSCAPE, INC.

Defendants.

FINAL JUDGMENT

Based upon the verdict of the jury, and this Court's Order on Motions for Judgment as a Matter of Law, Motion for Reduction in Jury Award, or in the Alternative for Remittitur, pursuant to Fed. R. Civ. P. 58, it is hereby

ORDERED AND ADJUDGED that JUDGMENT is hereby entered in favor of Plaintiff JERRY GREENBERG and against Defendants NATIONAL GEOGRAPHIC SOCIETY, NATIONAL GEOGRAPHIC ENTERPRISES and MINDSCAPE, INC., jointly and severally, in the amount of $80,000.00, and against Defendants NATIONAL GEOGRAPHIC SOCIETY and NATIONAL GEOGRAPHIC ENTERPRISES, jointly and severally, in the additional amount of $320,000.00, for a total judgment in the amount of $400,000.00 as to Defendants NATIONAL GEOGRAPHIC SOCIETY and NATIONAL GEOGRAPHIC ENTERPRISES, INC. and $80,000.00 as to Defendant MINDSCAPE, INC., for which sums let execution issue. The Court retains jurisdiction to consider a motion for attorneys' fees and costs.

DONE AND ORDERED in Miami, Florida, this 16th day of November, 2005.

ANDREA M. SIMONTON
UNITED STATES MAGISTRATE JUDGE

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Copies furnished to:
Norman Davis, Esq.
Squire, Sanders & Dempsey, LLP
Facsimile #305-577-7001
(Attorneys for Plaintiff)
Stephen N. Zack, Esq.
Jennifer Altman, Esq.
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Facsimile # 305 357-8547
(Attorney for Defendants)
Robert G. Sugarman, Esq.
Weil, Gotshal & Manges LLP
Facsimile # 212-310-8007
(Attorney for Defendants)

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UNITED STATES DISTRICT COURT
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JERRY GREENBERG,

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NATIONAL GEOGRAPHIC SOCIETY,
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UNITED STATES MAGISTRATE JUDGE

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