

**UNITED STATES DISTRICT COURT
DISTRICT OF MAINE**

PAUL WARREN,)	
)	
PLAINTIFF)	
)	
v.)	CIVIL No. 06-84-P-H
)	
UNITED PARCEL SERVICE, INC.,)	
)	
DEFENDANT)	

JUDGMENT

This matter came on for trial before the Court and a jury, Honorable D. Brock Hornby presiding, and the issues having been duly tried and the jury having rendered its verdict on March 29, 2007, and the Court having entered its Post-Trial Rulings on June 15, 2007;

Count I of the Complaint, alleging a violation of the Americans with Disabilities Act, is hereby **DISMISSED**. **JUDGMENT IS ENTERED** on Count II of the Complaint alleging a violation of the Maine Human Rights Act for the plaintiff Paul Warren as against the defendant United Parcel Service, Inc. in the amount of \$74,155.99 in compensatory damages. Pursuant to the Court's Order on Plaintiff's Motion for Equitable Relief, **JUDGMENT IS ENTERED** in favor of the plaintiff Paul Warren and against the defendant United Parcel Service, Inc. in the amount of \$8,145.45, representing additional back pay and front pay. It is **ORDERED** that

under the current provisions of the Maine Human Rights Act, UPS not apply its DOT certification requirement to a Maine route that, because of the weight of the vehicle used, does not require DOT certification under federal law, when applying the DOT certification requirement operates to exclude Paul Warren on account of his disability.¹ It is **ADJUDGED** that the plaintiff Paul Warren is awarded prejudgment interest on the compensatory damages award and that interest shall run at the state rate of 4.28% for the period from December 3, 2004 through December 2, 2005, at the state rate of 5.71% for the period from December 3, 2005 through December 2, 2006, and at the state rate of 7.36% for the period from December 3, 2006 to the date of this judgment, for a total of \$6,524.21.

So ORDERED.

DATED THIS 24TH DAY OF JULY, 2007

/s/D. BROCK HORNBY

D. BROCK HORNBY
UNITED STATES DISTRICT JUDGE

¹ Under the facts as they exist on the date of this Judgment, including Warren's seniority ranking, Warren is currently entitled to drive the so-called Whitefield route.

**U.S. DISTRICT COURT
DISTRICT OF MAINE (PORTLAND)
CIVIL DOCKET FOR CASE #: 2:06cv84**

**Paul Warren,
Plaintiff**

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v.

**United Parcel Service, Inc.,
Defendant**

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