

IN THE UNITED STATES DISTRICT COURT FOR  
THE MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION

**JUDGMENT IN A CIVIL CASE**

CUMBERLAND TRUST AND )  
INVESTMENT COMPANY, as next friend )  
and trustee of THE GILBERTO KELLY )  
LOPEZ IRREVOCABLE TRUST, ) CASE NO: 3:07-0799  
v. ) JUDGE ROBERT L. ECHOLS  
GENESIS LEARNING CENTERS )

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

IT IS ORDERED AND ADJUDGED that the jury found as follows:

- Plaintiff Cumberland Trust and Investment Company did not prove by a preponderance of the evidence that Defendant Genesis Learning Centers violated Gilberto Lopez's rights under Title IX of the Education Amendments Act of 1972, 20 U.S.C. § 1681.
- Defendant Genesis Learning Centers did prove by a preponderance of the evidence that Kolby Harris' intentional act was the sole and proximate cause of the May 7, 2007, incident on the bus and that this incident was unforeseeable by Genesis Learning Centers.

**IN ACCORDANCE WITH THE VERDICT OF THE JURY, JUDGMENT IS  
HEREBY ENTERED IN FAVOR OF DEFENDANT GENESIS LEARNING  
CENTERS**

DATE: March 18, 2010

KEITH THROCKMORTON, CLERK

BY: *Vicki R. Kinkade*  
Chief Deputy Clerk