

**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION**

JEANETTE SCOTT,)
Plaintiff,)
v.)
AHTNA ENGINEERING SERVICES,)
LLC, d/b/a ADVANCIA + AHTNA)
JOINT VENTURE,)
And)
ADVANCIA TECHNOLOGIES, LLC,)
d/b/a ADVANCIA + AHTNA JOINT)
VENTURE)
Defendants.)
CASE #4:24-cv-00541-SRB

**DEFENDANT ADVANCIA TECHNOLOGIES, LLC'S
SUGGESTIONS IN OPPOSITION TO PLAINTIFF'S
MOTION TO CORRECT AMENDED JUDGMENT**

Defendant Advancia Technologies, LLC (“Advancia” or “Defendant”) by and through its counsel, hereby submits its Suggestions in Opposition to Plaintiff’s Motion to Correct the Court’s Amended Judgment (Doc. 199) (“Motion”).

I. FACTUAL BACKGROUND

This Court held a jury trial for Plaintiff’s Missouri Human Rights Act (“MHRA”) and Family Medical Leave Act (“FMLA”) discrimination claims. The jury rendered general verdicts. (Doc. 161). The jury found in Plaintiff’s favor for her MHRA age discrimination claim and awarded her the following damages: for back pay in the amount of \$80,000.00; noneconomic losses in the amount of \$20,000.00; and punitive damages in

the amount of \$80,000.00. (Doc. 161). The jury found in favor of Defendant on Plaintiff's FMLA discrimination claim. (Doc. 161). The Court then entered a clerk's judgment confirming the general verdicts under the MHRA and FMLA. (Doc. 162). On December 9, 2025, the Court entered two Orders: one resolving the parties' post-trial motions, (Doc. 197); and another denying both parties' Bills of Costs. (Doc. 198). The Court then entered an amended clerk's judgment. (Doc. 199).

II. ARGUMENT AND LEGAL AUTHORITIES

Plaintiff's brief wrongly equivocates that an order on a post-trial motion for equitable relief (Doc. 197), must expressly become part of the Court's amended judgment arising out of the jury's verdict. (Doc. 200). The Court's post-trial order (Doc. 197) addresses remedies in equity relating to Plaintiff's request to the Court for: front pay, litigation expenses, attorneys' fees, pre and post judgment interest. Because these matters are exclusively governed by Rule 54, they are not subject to entry into the Court's *judgment*, which is governed by Rule 59. Plaintiff moves under Rule 59(e), which "serve[s] a limited function of correcting manifest errors of law or fact or to present newly discovered evidence." *Innovative Home Health Care, Inc., v. P.T.-O.T. Associates of the Black Hills*, 141 F.3d 1284, 1286 (8th Cir. 1998). Fatally here, the Motion fails to identify any manifest error of law or fact which calls for the use of Rule 59(e)'s limited function to correct.

Additionally, the Motion identifies no authority in which Rule 59(e) may be used to bootstrap in a separate court order (Doc. 197), relying on a different Rule (54), to force into

the Court's final judgment. Rule 59 permits a judge "who is not satisfied with the verdict of a jury to set the verdict aside," but the Rule does not permit the judge to add a separate order under Rule 54 into the judgment itself. *Wright & Miller*, § 2801 History and Purpose of Rule, 11 Fed. Prac. & Proc. Civ. § 2801 (3d ed.). That is because Rule 54 "indicates that a judgment at law and a decree in equity are to be treated in the same fashion." *Wright & Miller*, § 2651 Definition of a "Judgment," 11 Fed. Prac. & Proc. Civ. § 2651 (3d ed.).

Therefore, Defendant respectfully opposes the Motion which attempts to add the Court's judgment in equity (Doc. 197) into to the jury's verdict and judgment. (Doc. 200).

III. CONCLUSION

Based on the foregoing, Advancia respectfully moves the Court to deny Plaintiff's Motion to Correct the Court's Amended Judgment. (Doc. 199), and for such further relief that the Court may deem proper and just under the circumstances.

Dated: December 30, 2025

Respectfully submitted,

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