

A train conductor brought an action against her railroad employer under a federal statute providing liability for work-related injuries occurring on railroads. The employer denied liability, claiming that the conductor's injuries pre-dated her employment and were outside the scope of the statute.

At the close of the evidence at trial, the employer moved for judgment as a matter of law (JMOL), which the court denied. The jury returned a verdict for the conductor.

The employer has renewed its JMOL motion.

What standard should the court apply in ruling on the motion?

- A. Whether a preponderance of the evidence supports the verdict.
- B. Whether the verdict is against the weight of the evidence.
- C. Whether there is a scintilla of evidence to support the verdict.
- D. Whether there is legally sufficient evidence to support the verdict.

Correct

Collecting Statistics

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## Explanation:

### Motion for judgment as a matter of law

(FRCP 50)

<b>Time to file</b>	May be filed after nonmovant presents its case but before case is submitted to jury May be renewed within 28 days after entry of final judgment
<b>Procedural requirements</b>	Movant must: specify judgment sought & law/facts entitling movant to judgment Court must: view evidence & draw all reasonable inferences in nonmovant's favor disregard evidence favorable to movant that jury is not required to believe not consider credibility of witnesses or evaluate weight of evidence
<b>Standard for grant</b>	Evidence is legally insufficient for reasonable jury to find in nonmovant's favor

**FRCP** = Federal Rule of Civil Procedure.

A motion for **judgment as a matter of law** (JMOL) may be filed before the case is submitted to the jury. If denied, a **renewed motion** for JMOL can be filed after trial—as the employer did here. The **standard** the court will apply in ruling on both motions is whether the **evidence** in the record is **legally sufficient** for a reasonable jury to **find in the nonmovant's favor**. Therefore, the court must determine whether there is legally sufficient evidence to support the verdict in the conductor's favor when ruling on the employer's renewed motion for JMOL.

**(Choice A)** Whether a preponderance of the evidence supports the verdict is the **burden of proof** imposed for most civil claims (eg, a work-injury claim)—not the standard to determine whether a renewed motion for JMOL should be granted.

**(Choice B)** A party may move for a new trial—not JMOL or renewed JMOL—on the ground that the verdict is against the clear weight of the evidence.

**(Choice C)** Historically, a court would deny a motion for JMOL if a *scintilla* (ie, very small amount) of evidence supported a verdict for the nonmovant. Today, all federal courts and most state courts require that the verdict be supported by *legally sufficient* (ie, substantial) evidence.

**Educational objective:**

The standard applied by a court in deciding a motion or renewed motion for judgment as a matter of law is whether there is legally sufficient evidence in the record to support a verdict for the nonmovant.

**References**

Fed. R. Civ. P. 50 (explaining judgment as a matter of law).

9B Charles Alan Wright et al., Federal Practice and Procedure § 2524 (3d ed. 2021) (explaining the standard for judgment as a matter of law).

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