

A railroad worker's widow brought a wrongful death action in federal court against the railroad, claiming that its negligence had caused her husband's death. At trial, the widow offered the testimony of a coworker of the husband. The coworker testified that he had seen the rail car on which the husband was riding slow down and the cars behind it gain speed. The coworker also stated that he later heard a loud crash, but did not turn around to look because loud noises were common in the yard. Three other railroad employees testified that no collision had occurred.

At the close of the evidence, the railroad moved for judgment as a matter of law, which was denied, and the case was submitted to the jury. The jury returned a verdict for the widow.

The railroad has made a renewed motion for judgment as a matter of law.

What standard should the court apply to determine how to rule on the motion?

- A. Whether the evidence revealed a genuine dispute of material fact supporting the widow's claim.
- B. Whether the verdict is against the weight of the evidence.
- C. Whether the widow presented a scintilla of evidence to support the verdict.
- D. Whether there is substantial evidence in the record to support the verdict, resolving all disputed issues in the widow's favor.

Explanation:

Motion for judgment as a matter of law

(FRCP 50)

Time to file

- 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

Procedural requirements

- 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

Standard for grant

- 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 railroad did here. The standard the court will apply is whether the evidence is legally sufficient for a reasonable jury to find in the nonmovant's favor. This means that the motion will be denied if there is **substantial evidence** in the record to **support a verdict** for the **nonmovant**.

When making this determination, the court must **view the evidence** and draw all reasonable inferences in the light most **favorable to the nonmovant**. Therefore, all disputed issues must be resolved in the widow's favor.

(Choice A) Whether the evidence revealed a genuine issue of material fact would be pertinent to a motion for *summary judgment*, which must be made before trial.

(Choice B) A party may move for a *new trial* on several **grounds**, one of which is 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 *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 (ie, substantial) evidence in the record to support a verdict for the nonmovant. The court must view the evidence and draw all reasonable inferences in the nonmovant's favor.

References

- Fed. R. Civ. P. 50 (judgment as a matter of law).
- 46 Am. Jur. 2d Judgments § 319 (explaining the standard for judgment as a matter of law).

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