

[DO NOT PUBLISH]

IN THE UNITED STATES COURT OF APPEALS
FOR THE ELEVENTH CIRCUIT

No. 11-12945

D. C. Docket No. 8:09-cv-01375-SCB-TBM

COMPREHENSIVE CARE CORPORATION,

Plaintiff-
Counter-Defendant-
Third Party Defendant-
Appellant,

versus

JERRY KATZMAN,

Defendant-
Counter-Claimant-
Appellee,

JARED KATZMAN,
LEE KATZMAN,
MICHELLE KATZMAN,

Third Party Plaintiffs-
Appellees.

No. 11-13603

D.C. Docket No. 8:09-cv-01375-SCB-TBM

COMPREHENSIVE CARE CORPORATION,

Plaintiff-
Counter-Defendant-
Third Party Defendant-
Appellant,

versus

JERRY KATZMAN,

Defendant-
Counter Claimant-
Counter Defendant-
Appellee,

JOHN DOE I, et al.,

Defendants,

JARED KATZMAN, et al.,

Third Party Plaintiffs-
Counter Claimants.

Appeals from the United States District Court
For the Middle District of Florida

(February 14, 2013)

Before DUBINA, Chief Judge, BLACK and ALARCÓN,* Circuit Judges.

PER CURIAM:

This case involves an employment dispute that went to verdict. The facts are simple, but exorbitant motions practice, an inadequate verdict form, sparse jury instructions, and perplexing post-trial procedures have led this simple dispute into disarray. We in no way credit these deficiencies to the manner in which the district court handled this case, but rather to the counsel involved. Plaintiff/Counter Defendant/Appellant Comprehensive Care (“CompCare”) appeals the district court’s order granting Defendant/Counter Claimant/Appellee Dr. Jerry Katzman’s (“Katzman”) renewed motion for judgment as a matter of law under Federal Rule of Civil Procedure 50(b) and increasing the jury’s damages verdict from zero to \$1,306,456.00. CompCare also appeals the district court’s motion for reconsideration, as well as the attorneys’ fee award to Katzman. The appeals have been consolidated.

*Honorable Arthur L. Alarcón, United States Circuit Judge for the Ninth Circuit, sitting by designation.

After reviewing the record, reading the parties' briefs, and having the benefit of oral argument, we conclude a new trial for liability and damages is necessary given the circumstances of this case. Therefore, we reverse the Rule 50(b) judgment and order awarding attorneys' fees and remand this case for a new trial on liability and damages.

REVERSED and REMANDED.