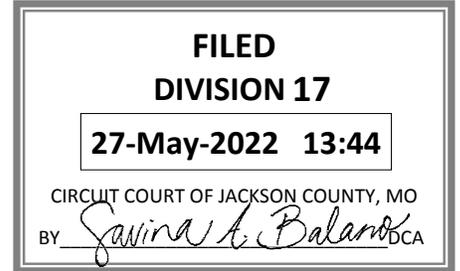


**IN THE CIRCUIT COURT OF JACKSON COUNTY, MISSOURI  
AT INDEPENDENCE**

R.M.A., )  
 ) **Case No. 1516-CV20874**  
 ) **Plaintiff,** ) **Div. 17**  
v. )  
 )  
 )  
**BLUE SPRINGS R-IV SCHOOL** )  
**DISTRICT,** )  
 ) **Defendant.** )



**AMENDED JUDGMENT**

Defendant’s Rule 72.01 motion for judgment notwithstanding the verdict or in the alternative motion for new trial is granted.

On remand,<sup>1</sup> the Supreme Court of Missouri instructed that as pleaded,<sup>2</sup> the verdict director in this case must read:

Your verdict must be for plaintiff [R.M.A.] if you believe:

First, defendants [School District and School Board] denied plaintiff full and equal use and enjoyment of the males' restroom and locker room facilities at defendants' school, and

Second, plaintiff’s male sex was a contributing factor in such denial, and

Third, as a direct result of such conduct, plaintiff sustained damage.

*RMA by Appleberry v. Blue Springs R-IV Sch. Dist.*, 568 S.W.3d 420, 425 (Mo. banc 2019).

---

<sup>1</sup> For context, Plaintiff alleged discrimination on the grounds of sex. *RMA by Appleberry*, 568 S.W.3d at 424. Plaintiff is a transgender student—long since graduated due to the procedural turns of this case—who alleged the school district unlawfully excluded him from the male restroom and locker room. *Id.* at n.7. “R.M.A. does not claim protection under the [Missouri Human Rights Act] based on his transgender status but, rather, based on his sex.” *Id.* at n.9.

<sup>2</sup> The case proceeded to trial on Plaintiff’s original, unamended petition.

In part, the second element of the verdict director required Plaintiff prove his male sex was a contributing factor in Defendant's decision to exclude him from the male restroom and locker room facilities. The sole, uncontradicted evidence at trial was that Plaintiff was excluded from the male facilities because of his female genitalia. As a result, Plaintiff failed to establish a submissible case and Defendant is entitled to judgment notwithstanding the verdict.

Defendant requested alternative relief in the form of a new trial. Rule 72.01(c) requires the trial court to rule upon and specify "the grounds for granting or denying the motion for new trial," even when judgment notwithstanding the verdict is granted. The Court would conditionally grant in part and deny in part Defendant's motion for new trial finding the verdict to be against the weight of the evidence. *See generally* 16 Mo. Prac., Civil Rules Practice § 72.01(c):1 (2021 ed.) (quotations and citations omitted; describing this procedural scenario as a "conditional" granting of a new trial).

**IT IS HEREBY ORDERED ADJUDGED AND DECREED, JUDGMENT NOTWITHSTANDING THE VERDICT IS ENTERED IN FAVOR OF DEFENDANT.**

**FURTHER, IT IS HEREBY ORDERED ADJUDGED AND DECREED DEFENDANT'S MOTION FOR NEW TRIAL IS CONDITIONALLY GRANTED.**

May 27, 2022

\_\_\_\_\_  
Date



\_\_\_\_\_  
HONORABLE CORY L. ATKINS

**CERTIFICATE OF SERVICE**

This is to certify that a copy of the foregoing was hand delivered/faxed/mailed/mailed and/or sent through the eFiling system to the following on the 27 day of May, 2022.

Attorneys for Plaintiff  
Attorneys for Defendant

*Savina A. Balano*

\_\_\_\_\_  
Judicial Administrative Assistant/Law Clerk