

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF UTAH

Paul G. Amann v. Office of the Utah Attorney General

Amann v. Office of the Utah Attorney General, Case No. 2:18-cv-00341-JNP (D. Utah Mar. 31, 2026) · No. 2:18-cv-00341-JNP · Decided March 31, 2026

SUMMARY

The United States District Court for the District of Utah denied Paul G. Amann’s motion for a new trial under Federal Rule of Civil Procedure 59. A jury had found for the Office of the Utah Attorney General on Amann’s breach-of-contract and Utah Whistleblower Act claims arising from his termination. The court rejected challenges concerning evidentiary rulings, the weight of the evidence, and the quashing of a trial subpoena, concluding that no prejudicial error or basis for a new trial had been shown.

CASE DETAILS

COURT	United States District Court for the District of Utah
WRITING FOR THE COURT	Jill N. Parrish
JURISDICTION	United States District Court for the District of Utah
DECIDED	March 31, 2026
DOCKET	2:18-cv-00341-JNP
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff moved under Federal Rule of Civil Procedure 59 for a new trial after a jury returned a verdict for the Office of the Utah Attorney General on his breach-of-contract and Utah Whistleblower Act claims.
STANDARD OF REVIEW	A Rule 59 motion for a new trial is committed to the trial court's discretion. A verdict should stand unless it is clearly, decidedly, or overwhelmingly against the weight of the evidence; evidentiary or other errors warrant a new trial only when they affect substantial rights or cause prejudicial error. Errors not raised during trial warrant a new trial only when they are so fundamental that gross injustice would result.
PRECEDENTIAL VALUE	nonprecedential
PARTIES	Paul G. Amann v. Office of the Utah Attorney General

TOPICS

motion for new trial

evidence

whistleblower

breach of contract

employment law

PRACTICE AREAS

employment law

civil procedure

evidence

contracts

QUESTIONS PRESENTED

1. Whether the court's evidentiary rulings regarding comparator evidence, other anonymous packets, and testimony concerning Amann's GRAMA requests warranted a new trial under Rule 59.
2. Whether the jury's verdict for the Office on Amann's breach-of-contract claim was clearly, decidedly, or overwhelmingly against the weight of the evidence.
3. Whether the jury's verdict for the Office on Amann's Utah Whistleblower Act claim was clearly, decidedly, or overwhelmingly against the weight of the evidence.
4. Whether testimony concerning Poulson's personal history created a gross injustice warranting a new trial despite Amann's failure to object at trial.
5. Whether quashing Amann's trial subpoena for Attorney General Reyes was erroneous and prejudicial.

HOLDINGS

1. The challenged evidentiary rulings did not warrant a new trial because the court acted within its discretion, the challenged evidence was properly limited or relevant, and any possible errors were harmless and did not affect Amann's substantial rights.
2. The verdict for the Office on Amann's breach-of-contract claim was not clearly, decidedly, or overwhelmingly against the weight of the evidence, so Amann was not entitled to a new trial.
3. The verdict for the Office on Amann's Utah Whistleblower Act claim was not against the weight of the evidence because the jury could reasonably find that Amann was terminated for sending the NCFI packet and violating workplace policies rather than for protected whistleblower activity.
4. Quashing the trial subpoena for Reyes did not warrant a new trial because Amann failed to show that Reyes's testimony was essential or unavailable from alternative sources, and he failed to establish prejudice.

KEY QUOTATIONS

“Unless justice requires otherwise, no error in admitting or excluding evidence—or any other error by the court or a party—is ground for granting a new trial” (at 4)

“If ‘a new trial motion asserts that the jury verdict is not supported by the evidence, the verdict must stand unless it is clearly, decidedly, or overwhelmingly against the weight of the evidence.’” (at 5)

“Something is essential if it is not only relevant, but necessary” (at 21)

FACTUAL BACKGROUND

Amann was employed as an attorney by the Utah Attorney General's Office and worked with employee Cynthia Poulson. After an anonymous package containing disparaging information about Poulson was sent to a conference director, an investigation uncovered evidence linking Amann to the package, including building-access records and internet activity from his office computer. The Office placed Amann on administrative leave and terminated him for violating workplace policies, including an anti-harassment policy. Amann denied sending the package and alleged that his termination was retaliation for reporting misconduct.

PROCEDURAL HISTORY

Amann initially asserted claims against the Utah Attorney General, the Office, and other employees. After cross-motions for summary judgment, only breach-of-contract and Utah Whistleblower Act claims against the Office proceeded to an eight-day jury trial. The jury returned a verdict for the Office on both claims, and Amann moved for a new trial based on evidentiary rulings, the weight of the evidence, and quashing a trial subpoena for Attorney General Sean Reyes. The court denied the Rule 59 motion.

DISPOSITION

other

CASES CITED

- Tidewater Oil Co. v. Waller, 302 F.2d 638, 643 (10th Cir. 1962)
- Megadyne Med. Prods., Inc. v. Aspen Lab'ys, Inc., 864 F. Supp. 1099, 1102 (D. Utah 1995)
- United States v. Perea, 458 F.2d 535, 536 (10th Cir. 1972)
- Braun v. Medtronic Sofamor Danek, Inc., 141 F. Supp. 3d 1177, 1192 (D. Utah 2015), aff'd, 719 F. App'x 782 (10th Cir. 2017)
- Nelson v. City of Albuquerque, 921 F.3d 925, 929 (10th Cir. 2019)
- Kanatser v. Chrysler Corp., 199 F.2d 610, 615 (10th Cir. 1952)
- Nosewicz v. Janosko, 857 F. App'x 465, 468 (10th Cir. 2021)
- M.D. Mark, Inc. v. Kerr-McGee Corp., 565 F.3d 753, 762 (10th Cir. 2009)
- Anaeme v. Diagnostek, Inc., 164 F.3d 1275, 1284 (10th Cir. 1999)
- Elm Ridge Expl. Co., LLC v. Engle, 721 F.3d 1199, 1216 (10th Cir. 2013)
- Cyprus Fed. Credit Union v. CUMIS Ins. Soc'y, Inc., 638 F. App'x 751, 754 n.1 (10th Cir. 2016)
- United States v. Walton, 909 F.2d 915, 924 (6th Cir. 1990)
- Donez v. Leprino Foods, Inc., No. 21-1212, 2022 WL 500549, at *8 (10th Cir. Feb. 18, 2022)
- Aramburu v. Boeing Co., 112 F.3d 1398, 1404 (10th Cir. 1997)
- Wilson v. Utica Park Clinic, Inc., No. 95-5060, 1996 WL 50462, at *1 (10th Cir. Feb. 7, 1996)
- Simms v. Oklahoma ex rel. Dep't of Mental Health & Substance Abuse Servs., 165 F.3d 1321, 1330-31 (10th Cir. 1999)
- Webb v. Level 3 Commc'ns, LLC, 167 F. App'x 725, 731 (10th Cir. 2006)
- United States v. Tan, 254 F.3d 1204, 1211 (10th Cir. 2001)

- MCI Commc'ns Corp. v. Am. Tel. & Tel. Co., 708 F.2d 1081, 1171 (7th Cir. 1983)
- Acree v. Minolta Corp., 748 F.2d 1382, 1386 (10th Cir. 1984)
- In re Office of the Utah Attorney General, 56 F.4th 1254, 1255-65 (10th Cir. 2022) (per curiam)
- Bland v. Sirmons, 459 F.3d 999, 1015 (10th Cir. 2006)
- Moody v. Ford Motor Co., 506 F. Supp. 2d 823, 847 (N.D. Okla. 2007)
- Bill Barrett Corp. v. YMC Royalty Co., No. 1:15-CV-02177-DME, 2018 WL 10207979, at *4 (D. Colo. Jan. 24, 2018), aff'd sub nom. Bill Barrett Corp. v. YMC Royalty Co., LP, 918 F.3d 760 (10th Cir. 2019)
- Plaut v. Est. of Rogers, 959 F. Supp. 1302, 1305 (D. Colo. 1997)
- Joseph v. Terminix Int'l Co., 17 F.3d 1282, 1285 (10th Cir. 1994)
- Kitchens v. Bryan Cnty. Nat. Bank, 825 F.2d 248, 251 (10th Cir. 1987)

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