

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

BARBARA ANN WILSON,)	
Plaintiff,)	
)	CIVIL ACTION NO.
v.)	
)	CV-10-KOB-2386
CITY OF BIRMINGHAM, et al.,)	
Defendants.)	

DEFENDANTS' REQUESTED VOIR DIRE QUESTIONS

The Defendants, the City of Birmingham, a municipal corporation under the laws of the State of Alabama, and the Birmingham Library Board, by and through their attorneys of record, pursuant to the Court's Pretrial Order of February 29, 2012, respectfully request that the Court ask, or allow the Defendants' Counsel(s) to ask, the following questions on the voir dire of the proposed jurors in this case:

1. Have you or any member of your immediate family ever been a party to a lawsuit either as the person who sued or as the person who was sued?
 - a. If so, what kind of case was it?
 - b. How did the case turn out?

2. Have you or any member of your immediate family ever been a witness in a lawsuit?

- a. If so, what kind of case was it?
 - b. How did the case turn out?
3. Have you or any member of your immediate family ever been involved in a legal dispute which settled outside of court?
 - a. If so, what kind of case was it?
 - b. How did the case turn out?
4. Have you ever served as a juror in a criminal or a civil case, or as a member of a grand jury, either in the federal or state courts?
5. The following individuals may be witnesses in this case. Please indicate whether you know any of them: Irene S. Blalock, Angela Hall, Barbara Wilson, (etc.)
6. The Plaintiff, Barbara Wilson, is represented by Adam Morel. Does anyone know Adam Morel?
7. Have any of you, or your family members, had any legal or business dealings with Adam Morel. If so, what was the nature of the dealings?
8. This lawsuit involves the City of Birmingham and the Birmingham Library Board. Have any of you, or any family members, ever been employed by the City or the Birmingham Library Board?

9. Have any of you, or your family members, had any business dealings with the City or the Birmingham Library Board? If so, what was the nature of the dealings?
10. Any problems or disputes with the City of Birmingham or the Birmingham Library Board or its employees?
11. Have you or any member of your immediate family had a dispute or claim against the City of Birmingham or the Birmingham Library Board, irrespective of whether the dispute resulted in a lawsuit? If so, please tell us about the dispute, and how it was resolved.
12. Have any of you, your family members or friends sued the City for any reason? If so, what was the suit about, when was it filed and how was it resolved?
13. Do you know of any reason why you may be prejudiced for or against the City of Birmingham or the Birmingham Library Board because of the nature of the case or otherwise?
14. Would any of you tend to give greater weight to the testimony of an employee over his/her supervisor simply because he is an employee, or vice-versa?
15. Have any of you ever been in the position to supervise an employee for the company where you worked?

16. Have you, or anyone you know, felt punished at work for complaining of discrimination or unfair employment practices? If so, please describe the circumstances.
17. Have you, or anyone you know been fired from a job?
18. Have you, or anyone you know received an oral or written reprimand from an employer?
19. Have you, or anyone you know been suspended from employment?
20. Have you, any member of your family, or a close friend ever filed a complaint, grievance, charge or lawsuit against an employer?
21. What do you believe about people that falsely or inaccurately file complaints to the Equal Employment Opportunity Commission (EEOC) alleging of racial, discrimination, sex discrimination or retaliation?
22. Do you believe that individuals file false or inaccurate complaints against individuals or corporations in Court?
23. Have any of you ever participated in any way with an employment case or ever been subject to a lawsuit of any kind?
24. This is a sexually hostile environment case brought under Title VII of the Civil Rights Act of 1964. Ms. Wilson alleges that the City and Library management failed to address the sexually hostile work environment which she alleges was

created by Library patrons. Ms. Wilson alleges that she is a victim of a sexually hostile environment in two ways: 1. Patrons are using the Library's computers to view pornographic images and 2. Patrons are entering the Library and committing obscene acts sexual acts. Plaintiff alleges that the Defendants have allowed and/or failed to adequately address a sexually hostile environment in the library. Is there any reason because of this subject matter that would prevent you from rendering a fair and impartial verdict in such a case?

25. Have any of you ever been to downtown library or any of the library branches? What was purpose? Experience any problems with patrons at the library? See anyone accessing a pornographic website?
26. Heard anything about this lawsuit in the media? If so what did you hear? What was your opinion on the media report?
27. Have you or any member of your immediate family members lawyers, attended law school or received legal training?
28. Have you or any member of your immediate family have security training or law enforcement training?
29. Do any of you have any moral or religious convictions or beliefs regarding pornography?

30. Without telling us the reason, if any of you would rather just not serve on this jury, please raise your hand?

Respectfully Submitted,

/s/Fredric L. Fullerton, II

Fredric L. Fullerton, II
Chief Assistant City Attorney

/s/Nicole E. King

Nicole E. King
Assistant City Attorney

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CERTIFICATE OF SERVICE

I hereby certify that on April 9, 2012, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

Adam P. Morel, Esq.
517 Beacon Parkway West
Birmingham, AL. 35209

/s/Fredric L. Fullerton, II

Of Counsel