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**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

JEFFREY GUNCHICK,

Plaintiff,

v.

FEDERAL INSURANCE COMPANY;
and DOES 1 through 20, inclusive

Defendants.

Case No. CV14-01162 RSWL(PJWx)
Assigned to Hon. Ronald S.W. Lew

**JUDGMENT FOLLOWING JURY
TRIAL**

Removal Filed: February 14, 2014
Trial Date: April 21, 2015

This action came on regularly for trial on April 21, 2015 before the Honorable Ronald S. W. Lew, Senior United States District Court Judge, in Room 21 of the United States District Court for the Central District of California. Plaintiff Jeffrey Gunchick appeared by Michael J. Freiman, Esq. and Lawrence W. Freiman, Esq. of Freiman Law, and Defendant Federal Insurance Company appeared by Vince M. Verde, Esq. and Richard Y. Chen, Esq. of Ogletree, Deakins, Nash, Smoak & Stewart, P.C.

A jury of seven persons was regularly impaneled and sworn. Witnesses were sworn and testified.

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1 After hearing the evidence and argument of counsel, the jury was duly
2 instructed by the Court and the cause was submitted to the jury with directions to
3 return a verdict on special issues. The jury deliberated and thereafter returned into
4 Court with its verdict consisting of the special issues submitted to the jury and the
5 answers given thereto by the jury, which said verdict was in words and figures as
6 follows, to wit:

7

8 1. Was Plaintiff employed by Defendant?

9 Yes No

10 **If your answer to question 1 is yes, then answer question 2. If you**
11 **answered no, stop here, answer no further questions, and have the presiding**
12 **juror sign and date this form.**

13

14 2. Was Plaintiff discharged?

15 Yes No

16 **If your answer to question 2 is yes, then answer question 3. If you**
17 **answered no, stop here, answer no further questions, and have the presiding**
18 **juror sign and date this form.**

19

20 3. Was Plaintiff's disability a substantial motivating reason for Defendant's
21 decision to discharge Plaintiff?

22 Yes No

23 **If your answer to question 3 is yes, then answer question 4. If you**
24 **answered no, stop here, answer no further questions, and have the presiding**
25 **juror sign and date this form.**

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1 4. Were the issues concerning Plaintiff's conduct also a substantial motivating
2 reason for Defendant's decision to discharge Plaintiff?

3 _____ Yes _____ No

4 **If your answer to question 4 is Yes, then answer question 5. If you**
5 **answered No, skip question 5 and answer question 6.**

6 5. Would Defendant have discharged Plaintiff anyway based on issues
7 concerning Plaintiff's conduct had Defendant not also been substantially motivated
8 by discrimination?

9 _____ Yes _____ No

10
11 **If your answer to question 5 is No, then answer question 6. If you**
12 **answered Yes, stop here, answer no further questions, and have the presiding**
13 **juror sign and date this form.**

14
15 6. Did the discharge cause Plaintiff harm?

16 _____ Yes _____ No

17 **If your answer to question 6 is yes, then answer question 7. If you answered no,**
18 **stop here, answer no further questions, and have the presiding juror sign and**
19 **date this form.**

20
21 7. What are Plaintiff's damages?

22 \$ _____

23
24 Dated: April 27, 2015

[NAME REDACTED BY COURT]
Foreperson"

25 ///
26 ///
27 ///

28

1 It appearing by reason of said verdict as to Defendant Federal Insurance
2 Company, that Defendant Federal Insurance Company is entitled to judgment against
3 Plaintiff Jeffrey Gunchick:

4 NOW, THEREFORE, IT IS ORDERED, ADJUDGED AND DECREED that
5 said Plaintiff, Jeffrey Gunchick recover nothing by reason of his Complaint and that
6 Judgment shall be, and hereby is, entered in favor of Defendant Federal Insurance
7 Company and against Plaintiff Jeffrey Gunchick.

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DATED: May 7, 2015

RONALD S.W. LEW
Honorable Ronald S.W. Lew
Senior, U.S. District Court Judge

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PROOF OF SERVICE
Gunchick v. Federal Insurance Company
Case No. CV14-01162 RSWL(PJWx)

I am and was at all times herein mentioned over the age of 18 years and not a party to the action in which this service is made. At all times herein mentioned I have been employed in the County of Orange in the office of a member of the bar of this court at whose direction the service was made. My business address is 695 Town Center Drive, Suite 1500, Costa Mesa, CA 92626.

On May 4, 2015, I served the following document(s):

[PROPOSED] JUDGMENT FOLLOWING JURY TRIAL

BY MAIL: I placed the envelope for collection and mailing, following our ordinary business practices. I am readily familiar with the practice of Ogletree, Deakins, Nash, Smoak & Stewart P.C.'s practice for collecting and processing correspondence for mailing. On the same day that correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service, in a sealed envelope with postage fully prepaid.

BY CM/ECF: With the Clerk of the United States District Court of California, using the CM/ECF System. The Court's CM/ECF System will send an e-mail notification of the foregoing filing to the following parties and counsel of record who are registered with the Court's CM/ECF System:

(Federal) I declare that I am employed in the office of a member of the State Bar of this Court at whose direction the service was made. I declare under penalty of perjury under the laws of the United States of America that the above is true and correct.

(Federal) I declare that I am a **member** of the State Bar of this Court at whose direction the service was made. I declare under penalty of perjury under the laws of the United States of America that the above is true and correct.

Executed on May 4, 2015, at Costa Mesa, California.

Erin Montgomery
Type or Print Name

/s/ Erin Montgomery
Signature

SERVICE LIST

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