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Question No. 2:

Do you find by a preponderance of the evidence that any defendant conspired to violate Plaintiff Kevin Bryant's constitutional rights which caused Plaintiff harm?

Answer: Defendant Gallagher Yes No
Defendant Romero Yes No

Go to Question No. 3.

Question No. 3:

Do you find by a preponderance of the evidence that any defendant violated Plaintiff Kevin Bryant's Eighth Amendment constitutional right by failing to intervene or protect him from a substantial risk of serious harm which caused Plaintiff harm?

Answer: Defendant Gallagher Yes No
Defendant Romero Yes No

Go to Question No. 4.

Question No. 4:

Do you find by a preponderance of the evidence that Defendant Romero violated Plaintiff Kevin Bryant's Eighth Amendment constitutional right by disregarding a known serious medical need which caused Plaintiff harm?

Answer: Yes
No

If you answered "no" to Questions No. 1 to 4 as to every defendant, skip the remaining questions and sign, date, and return this form.

If you answered "yes" to any part of Questions No. 1 to 4, go to Question No. 5.

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1 **Question No. 5:**

2 What is the amount of compensatory damages, if any, you award to Plaintiff for the
3 violation of his rights?

4	Answer:	Defendant Gallagher	\$	<u>45,000</u>
5		Defendant Romero	\$	<u>55,000</u>
6		Total:	\$	<u>100,000</u>

7 If you entered \$0, go to Question No. 6. If you entered an amount more than \$0, go to
8 Question No. 7.

9
10 **Question No. 6:**

11 If you found that any defendant(s) violated Plaintiff's rights but you found that Plaintiff is
12 not entitled to compensatory damages, you must award an amount of minimal damages not to
13 exceed \$1.00. What is your award of nominal damages?

14 Answer: \$ _____

15 Go to Question No. 7.

16
17 **Question No. 7:**

18 Do you find by a preponderance of the evidence that any defendant acted with malice,
19 oppression, or in reckless disregard of Plaintiff Kevin Bryant's constitutional rights?

20	Answer:	Defendant Gallagher	Yes	<input checked="" type="checkbox"/>	No	_____
21		Defendant Romero	Yes	<input checked="" type="checkbox"/>	No	_____

22 ***

23 Sign, date, and return this verdict.

24
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26 Dated: May 18, 2017

27 
FOREPERSON

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FILED

MAY 18 2017

CLERK, U.S. DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA
BY [Signature]
DEPUTY CLERK

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

KEVIN DARNELL BRYANT,

Plaintiff,

v.

P. GALLAGHER and ^{A.} R. ROMERO,

Defendants.

Case No. 1:11-cv-00446-BAM (PC)

SPECIAL VERDICT – SECOND PHASE

Having found by a preponderance of the evidence that one or more of the defendants' conduct was malicious or in reckless disregard of Plaintiff Kevin Bryant's rights, we, the jury in the above-entitled action, award punitive damages in the following amount(s):

Defendant Gallagher \$ 15,000

Defendant Romero \$ 15,000

Total: \$ 30,000

Sign, date, and return this verdict.

Dated: May 18, 2017

[Signature]
FOREPERSON