UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF CALIFORNIA

CHARLES RIDGEWAY, ET AL., Plaintiffs,

v.

WAL-MART STORES INC.,

Defendant.

Case No. <u>08-cv-05221-SI</u>

JURY VERDICT FORMS

1	Please carefully read and complete this form in the order in which it is presented.
2	
3	PART I. CLAIMS OF ALL CLASS MEMBERS EXCEPT CLASS REPRESENTATIVES
4	
5	MINIMUM WAGE
6	Question No. 1:
7	Were the class members paid less than the minimum wage by Wal-Mart for some or all
8	hours worked for any of the following tasks?
9	(A) Performing Pre-Trip Inspections
10	Yes No
11	(B) Performing Post-Trip Inspections
12	Yes No
13	(C) Fueling the Tractor
14	Yes No
15	(D) Washing the Tractor/Trailer
16	Yes No
17	(E) Weighing the Tractor/Trailer at an Independent Weigh Station
18	Yes No
19	(F) Performing Adjustments after Weighing the Tractor/Trailer at an Independent Weigh
20	Station
21	Yes No
22	(G) Undergoing Department of Transportation Roadside Inspections
23	Yes No
24	(H) Meeting with a Driver Coordinator
25	Yes No
26	(I) Taking 10-minute Rest Breaks
27	Yes No
	II

1	(J) Taking 10-hour Layovers
2	Yes No
3	(K) Waiting at a Vendor or Store Location
4	Yes No
5	If your answer to any task in Question No. 1 is "yes," then proceed to Question No. 2. If you
6	answered "no" for all tasks, skip Question Nos. 2-4 and proceed to Part II below.
7	
8	Question No. 2:
9	For any of the tasks that you answered "yes" in Question No. 1, what is the amount of
10	wages owed for hours worked at pay less than the minimum wage?
11	(A) Performing Pre-Trip Inspections: \$
12	(B) Performing Post-Trip Inspections: \$
13	(C) Fueling the Tractor: \$
14	(D) Washing the Tractor/Trailer: \$
15	(E) Weighing the Tractor/Trailer: \$
16	(F) Performing Adjustments after Weighing the Tractor/Trailer at an Independent Weigh
17	Station: \$
18	(G) Undergoing Department of Transportation Roadside Inspections: \$
19	(H) Meeting with a Driver Coordinator: \$
20	(I) Taking 10-minute Rest Breaks: \$
21	(J) Taking 10-hour Layovers: \$
22	(K) Waiting at a Vendor or Store Location: \$
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United States District Court Northern District of California

CIVIL PENALTIES

Question No. 3:

Die	d Wal-Mart	intentionally	fail to pay	y minimum	wage to c	lass men	nbers, no	t includi	ng the
class repre	esentatives,	in any pay per	riod from	October 10	, 2007 to	October	15, 2015	?	

Yes _____ No ____

Question No. 4:

For how many pay periods (total, for all class members, not including the class representatives) did Wal-Mart fail to pay minimum wage to class members from October 10, 2007 to October 15, 2015?

____ pay periods

PART II. CHARLES RIDGEWAY

MINIMUM WAGE
less than the minimum wage by Wal-Mart for some or all
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No
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iler at an Independent Weigh Station
No
after Weighing the Tractor/Trailer at an Independent Weigh
No
of Transportation Roadside Inspections
No
oordinator
No
eaks
No
No

(K) Waiting at a Vendor or Store Location

Yes _____

	il
1	If your answer to any task in Question No. 5 is "yes," then proceed to Question No. 6. If you
2	answered "no" for all tasks, skip Question No. 6 and proceed to Part III below.
3	
4	Question No. 6:
5	For any of the tasks that you answered "yes" in Question No. 5, what is the amount of
6	wages owed to Charles Ridgeway for hours worked at pay less than the minimum wage?
7	(A) Performing Pre-Trip Inspections: \$
8	(B) Performing Post-Trip Inspections: \$
9	(C) Fueling the Tractor: \$
10	(D) Washing the Tractor/Trailer: \$
11	(E) Weighing the Tractor/Trailer: \$
12	(F) Performing Adjustments after Weighing the Tractor/Trailer at an Independent Weigh
13	Station: \$
14	(G) Undergoing Department of Transportation Roadside Inspections: \$
15	(H) Meeting with a Driver Coordinator: \$
16	(I) Taking 10-minute Rest Breaks: \$
17	(J) Taking 10-hour Layovers: \$
18	(K) Waiting at a Vendor or Store Location: \$
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PART III. JAIME FAMOSO

MINIMUM WAGE

Question No. 7:

Was	Jaime	Famoso	paid	less	than	the	minimum	wage	by	Wal-Mart	for	some	or	all	hours
worked for a	any of 1	the follow	ving t	tasks	?										

e	d for any of the following task	xs?
	(A) Performing Pre-Trip Insp	pections
	Yes	No
	(B) Performing Post-Trip Ins	spections
	Yes	No
	(C) Fueling the Tractor	
	Yes	No
	(D) Washing the Tractor/Tra	iler
	Yes	No
	(E) Weighing the Tractor/Tr	ailer at an Independent Weigh Station
	Yes	No
	(F) Performing Adjustments	after Weighing the Tractor/Trailer at an Independent Weigh
	Station	
	Yes	No
	(G) Undergoing Department	of Transportation Roadside Inspections
	Yes	No
	(H) Meeting with a Driver C	Coordinator
	Yes	No
	(I) Taking 10-minute Rest B	reaks
	Yes	No
	(J) Taking 10-hour Layovers	3
	Yes	No
	(K) Waiting at a Vendor or S	Store Location

No ____

Yes _____

1	If your answer to any task in Question No. 7 is "yes," then proceed to Question No. 8. If you					
2	answered "no" for all tasks, skip Question Nos. 8-10 and proceed to Part IV below.					
3						
4	Question No. 8:					
5	For any of the tasks that you answered "yes" in Question No. 7, what is the amount of					
6	wages owed to Jaime Famoso for hours worked at pay less than the minimum wage?					
7	(A) Performing Pre-Trip Inspections: \$					
8	(B) Performing Post-Trip Inspections: \$					
9	(C) Fueling the Tractor: \$					
10	(D) Washing the Tractor/Trailer: \$					
11	(E) Weighing the Tractor/Trailer: \$					
12	(F) Performing Adjustments after Weighing the Tractor/Trailer at an Independent Weigh					
13	Station: \$					
14	(G) Undergoing Department of Transportation Roadside Inspections: \$					
15	(H) Meeting with a Driver Coordinator: \$					
16	(I) Taking 10-minute Rest Breaks: \$					
17	(J) Taking 10-hour Layovers: \$					
18	(K) Waiting at a Vendor or Store Location: \$					
19						
20	CIVIL PENALTIES					
21	Question No. 9:					
22	Did Wal-Mart intentionally fail to pay minimum wage to Jaime Famoso, in any pay period					
23	from October 10, 2007 to October 15, 2015?					
24	Yes No					
25	Question No. 10:					
26	For how many pay periods did Wal-Mart fail to pay minimum wage to Jaime Famoso from					
27	October 10, 2007 to October 15, 2015?					
28	pay periods					
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PART IV. JOSHUA HAROLD

MINIMUM WAGE

Question No. 11:

Was Joshua Harold paid less than the minimum wage by Wal-Mart for some or all hours
worked for any of the following tasks?
(A) Performing Pre-Trip Inspections
Yes No
(B) Performing Post-Trip Inspections

(C) Fueling the Tr	actor

Yes _____

Yes _____

Yes _____

Yes _____

(D) Washing the Tract	or/Trailer	
Yes	No	

(E) Weighing the Tractor/Trailer at an Independent Weigh Station

No ____

No ____

No ____

(F) Performing Ad	djustments after	Weighing the	Tractor/Traile	r at an Inde	ependent V	Weigh
Station						

(G) Undergoing Department	of Transportation Roadside Inspections
Yes	No

No ____

(H) Meeting with a Driver Coordinator

Yes	No

(I) Taking 10-minute Rest Breaks

Yes	No
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25 (J) Taking 10-hour Layovers

Yes	No
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27 (K) Waiting at a Vendor or Store Location

Yes _____ No ____

1	If your answer to any task in Question No. 11 is "yes," then proceed to Question No. 12. If you
2	answered "no" for all tasks, skip Question Nos. 12-14 and proceed to Part V below.
3	
4	Question No. 12:
5	For any of the tasks that you answered "yes" in Question No. 11, what is the amount of
6	wages owed to Joshua Harold for hours worked at pay less than the minimum wage?
7	(A) Performing Pre-Trip Inspections: \$
8	(B) Performing Post-Trip Inspections: \$
9	(C) Fueling the Tractor: \$
10	(D) Washing the Tractor/Trailer: \$
11	(E) Weighing the Tractor/Trailer: \$
12	(F) Performing Adjustments after Weighing the Tractor/Trailer at an Independent Weigh
13	Station: \$
14	(G) Undergoing Department of Transportation Roadside Inspections: \$
15	(H) Meeting with a Driver Coordinator: \$
16	(I) Taking 10-minute Rest Breaks: \$
17	(J) Taking 10-hour Layovers: \$
18	(K) Waiting at a Vendor or Store Location: \$
19	
20	CIVIL PENALTIES
21	Question No. 13:
22	Did Wal-Mart intentionally fail to pay minimum wage to Joshua Harold, in any pay period
23	from October 10, 2007 to October 15, 2015?
24	Yes No
25	Question No. 14:
26	For how many pay periods did Wal-Mart fail to pay minimum wage to Joshua Harold from
27	October 10, 2007 to October 15, 2015?
28	pay periods

PART V. RICHARD BYERS

MINIMUM WAGE

Question No. 15:

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Was Richard Byers paid les	ss than the minimum wage by Wal-Mart for some or all hours
worked for any of the following tas	ks?
(A) Performing Pre-Trip Ins	spections
Yes	No
(B) Performing Post-Trip In	spections

Yes	No
(C) Fueling the Tractor	

Yes _____

Yes _____

(D) Washing the Tracto	or/Trailer	
Yes	No	

(E) Weighing the Tractor/Trailer at an	Independent	Weigh Station
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No ____

No ____

(F) Performing Adjustments after	Weighing the	Tractor/Trailer a	at an Independent	Weigh
Station				

Yes	No	
(G) Undergoing Depart	ment of Transportation Roadside Inspection	S
Yes	No	

(H) Meeting with a Driver Coordinator

Yes _____ No ____

(I) Taking 10-minute Rest Breaks

Yes _____ No ____

25 (J) Taking 10-hour Layovers

> Yes _____ No ____

(K) Waiting at a Vendor or Store Location 27

> Yes _____ No ____

If your answer to any task in Question No. 15 is "yes," then proceed to Question No. 16. If you
answered "no" for all tasks, skip Question No. 16 and proceed to Part VI below.
Question No. 16:
For any of the tasks that you answered "yes" in Question No. 15, what is the amount of
wages owed to Richard Byers for hours worked at pay less than the minimum wage?
(A) Performing Pre-Trip Inspections: \$
(B) Performing Post-Trip Inspections: \$
(C) Fueling the Tractor: \$
(D) Washing the Tractor/Trailer: \$
(E) Weighing the Tractor/Trailer: \$
(F) Performing Adjustments after Weighing the Tractor/Trailer at an Independent Weigh
Station: \$
(G) Undergoing Department of Transportation Roadside Inspections: \$
(H) Meeting with a Driver Coordinator: \$
(I) Taking 10-minute Rest Breaks: \$
(J) Taking 10-hour Layovers: \$
(K) Waiting at a Vendor or Store Location: \$

PART VI. DAN THATCHER

		MINIMUM WAGE
Question	n No. 17:	
W	Vas Dan Thatcher paid less	s than the minimum wage by Wal-Mart for some or all hours
worked f	or any of the following task	xs?
(1	A) Performing Pre-Trip Ins	pections
	Yes	No
(I	3) Performing Post-Trip Ins	spections
	Yes	No
((C) Fueling the Tractor	
	Yes	No
(I	D) Washing the Tractor/Tra	iler
	Yes	No
(H	E) Weighing the Tractor/Tr	ailer at an Independent Weigh Station
	Yes	No
(H	F) Performing Adjustments	after Weighing the Tractor/Trailer at an Independent Weigh
S	tation	
	Yes	No
(0	G) Undergoing Department	of Transportation Roadside Inspections
	Yes	No
(H	H) Meeting with a Driver C	oordinator
	Yes	No
(I	Taking 10-minute Rest B	reaks
	Yes	No
(J	T) Taking 10-hour Layovers	
	Yes	No

(K) Waiting at a Vendor or Store Location

Yes _____

1	If your answer to any task in Question No. 17 is "yes," then proceed to Question No. 18. If you
2	answered "no" for all tasks, skip Question No. 18 and proceed to Part VII below.
3	
4	Question No. 18:
5	For any of the tasks that you answered "yes" in Question No. 17, what is the amount of
6	wages owed to Dan Thatcher for hours worked at pay less than the minimum wage?
7	(A) Performing Pre-Trip Inspections: \$
8	(B) Performing Post-Trip Inspections: \$
9	(C) Fueling the Tractor: \$
10	(D) Washing the Tractor/Trailer: \$
11	(E) Weighing the Tractor/Trailer: \$
12	(F) Performing Adjustments after Weighing the Tractor/Trailer at an Independent Weigh
13	Station: \$
14	(G) Undergoing Department of Transportation Roadside Inspections: \$
15	(H) Meeting with a Driver Coordinator: \$
16	(I) Taking 10-minute Rest Breaks: \$
17	(J) Taking 10-hour Layovers: \$
18	(K) Waiting at a Vendor or Store Location: \$
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PART VII. WILLIE FRANKLIN

MINIMUM WAGE

Question No. 19:

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Was Willie Franklin paid less than the minimum wage by Wal-Mart for some	or all hours
worked for any of the following tasks?	
(A) Performing Pre-Trip Inspections	

No ____

No ____

No ____

(B) Performing Post	t-Trip Inspections
Ves	No

(C) Fueling the Tractor

Yes _____

Yes _____

Yes _____

(D) Washing the Tractor/Trailer	

(E) Weighing the	Tractor/Trailer at	an Independent	Weigh Station

Yes	No	

(F) Performing Adjustments after Weighing the Tractor/Trailer at an Independent Weigh Station

Yes	No

(G) Undergoing Department of Transportation Roadside Inspections

No ____

(H) Meeting with a Driver Coordinator

Yes _____ No ____

(I) Taking 10-minute Rest Breaks

Yes _____ No _____

(J) Taking 10-hour Layovers

Yes _____ No ____

(K) Waiting at a Vendor or Store Location

Yes _____ No ____

1	If your answer to any task in Question No. 19 is "yes," then proceed to Question No. 20. If you
2	answered "no" for all tasks, skip Question Nos. 20-22 and proceed to Part VIII below.
3	
4	Question No. 20:
5	For any of the tasks that you answered "yes" in Question No. 19, what is the amount of
6	wages owed to Willie Franklin for hours worked at pay less than the minimum wage?
7	(A) Performing Pre-Trip Inspections: \$
8	(B) Performing Post-Trip Inspections: \$
9	(C) Fueling the Tractor: \$
10	(D) Washing the Tractor/Trailer: \$
11	(E) Weighing the Tractor/Trailer: \$
12	(F) Performing Adjustments after Weighing the Tractor/Trailer at an Independent Weigh
13	Station: \$
14	(G) Undergoing Department of Transportation Roadside Inspections: \$
15	(H) Meeting with a Driver Coordinator: \$
16	(I) Taking 10-minute Rest Breaks: \$
17	(J) Taking 10-hour Layovers: \$
18	(K) Waiting at a Vendor or Store Location: \$
19	
20	CIVIL PENALTIES
21	Question No. 21:
22	Did Wal-Mart intentionally fail to pay minimum wage to Willie Franklin, in any pay
23	period from October 10, 2007 to October 15, 2015?
24	Yes No
25	Question No. 22:
26	For how many pay periods did Wal-Mart fail to pay minimum wage to Willie Franklin
27	from October 10, 2007 to October 15, 2015?
28	pay periods

PART VIII. TIM OPITZ

MINIMUM WAGE

Question No. 23:

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	Was Tin	n Opit	z paid	less	than	the	minimum	wage	by	Wal-Mart	for	some	or	all	hours
worked for any of the following tasks?															
(A) Performing Pre-Trip Inspections															

Yes	No
(B) Performing Post-Trip	Inspections
Yes	No
(C) Fueling the Tractor	

Yes _____

Yes _____

(D) Washing the Tracto	r/Trailer	
Yes	No	

No ____

(E) Weighing the Tractor/Trailer at an Independent Weigh Station

No ____

(F) Performing Adjustments after Weighing the Tractor/Trailer at an Independent Weigh Station

Yes	No
(G) Undergoing Department	of Transportation Roadside Inspections
Yes	No

(H) Meeting with a Driver Coordinator Yes _____ No ____ (I) Taking 10-minute Rest Breaks

Yes _____ No ____

(J) Taking 10-hour Layovers Yes ____ No ____ (K) Waiting at a Vendor or Store Location

Yes _____ No ____

1	If your answer to any task in Question No. 23 is "yes," then proceed to Question No. 24. If you
2	answered "no" for all tasks, skip Question Nos. 24-26 and proceed to Part IX below.
3	
4	Question No. 24:
5	For any of the tasks that you answered "yes" in Question No. 23, what is the amount of
6	wages owed to Tim Opitz for hours worked at pay less than the minimum wage?
7	(A) Performing Pre-Trip Inspections: \$
8	(B) Performing Post-Trip Inspections: \$
9	(C) Fueling the Tractor: \$
10	(D) Washing the Tractor/Trailer: \$
11	(E) Weighing the Tractor/Trailer: \$
12	(F) Performing Adjustments after Weighing the Tractor/Trailer at an Independent Weigh
13	Station: \$
14	(G) Undergoing Department of Transportation Roadside Inspections: \$
15	(H) Meeting with a Driver Coordinator: \$
16	(I) Taking 10-minute Rest Breaks: \$
17	(J) Taking 10-hour Layovers: \$
18	(K) Waiting at a Vendor or Store Location: \$
19	
20	CIVIL PENALTIES
21	Question No. 25:
22	Did Wal-Mart intentionally fail to pay minimum wage to Tim Opitz, in any pay period
23	from October 10, 2007 to October 15, 2015?
24	Yes No
25	Question No. 26:
26	For how many pay periods did Wal-Mart fail to pay minimum wage to Tim Opitz from
27	October 10, 2007 to October 15, 2015?
28	pay periods

PART IX. FARRIS DAY

MINIMUM WAGE

Question No. 27:

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Was Farris Day paid less than the minimum wage by Wal-Mart for some or all hours							
worked for any of the following tasks?							
(A) Performing Pre-Trip Inspections							
Yes No							
(B) Performing Post-Trip Inspections							
Yes No							
(C) Fueling the Tractor							
Yes No							
(D) Washing the Tractor/Trailer							
Yes No							
(E) Weighing the Tractor/Trailer at an Independent Weigh Station							
Yes No							
(F) Performing Adjustments after Weighing the Tractor/Trailer at an Independent Weigh							
Station							

(G)	Undergoing	Department o	of Transportation	Roadside Inspection	S

No _____

No ____ Yes _____

(H) Meeting with a Driver Coordinator

Yes _____ No ____

(I) Taking 10-minute Rest Breaks

Yes _____

Yes _____ No ____

(J) Taking 10-hour Layovers 25

> Yes _____ No ____

(K) Waiting at a Vendor or Store Location

No ____ Yes _____

1	If your answer to any task in Question No. 27 is "yes," then proceed to Question No. 28. If you
2	answered "no" for all tasks, skip Question Nos. 28-30 and proceed to Part X below.
3	
4	Question No. 28:
5	For any of the tasks that you answered "yes" in Question No. 27, what is the amount of
6	wages owed to Farris Day for hours worked at pay less than the minimum wage?
7	(A) Performing Pre-Trip Inspections: \$
8	(B) Performing Post-Trip Inspections: \$
9	(C) Fueling the Tractor: \$
10	(D) Washing the Tractor/Trailer: \$
11	(E) Weighing the Tractor/Trailer: \$
12	(F) Performing Adjustments after Weighing the Tractor/Trailer at an Independent Weigh
13	Station: \$
14	(G) Undergoing Department of Transportation Roadside Inspections: \$
15	(H) Meeting with a Driver Coordinator: \$
16	(I) Taking 10-minute Rest Breaks: \$
17	(J) Taking 10-hour Layovers: \$
18	(K) Waiting at a Vendor or Store Location: \$
19	
20	CIVIL PENALTIES
21	Question No. 29:
22	Did Wal-Mart intentionally fail to pay minimum wage to Farris Day, in any pay period
23	from October 10, 2007 to October 15, 2015?
24	Yes No
25	Question No. 30:
26	For how many pay periods did Wal-Mart fail to pay minimum wage to Farris Day from
27	October 10, 2007 to October 15, 2015?
28	pay periods

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PART X. KARL MERHOFF

MINIMUM WAGE

Question No. 31:

	Was	Karl	Merhoff	paid	less	than	the	minimum	wage	by	Wal-Mart	for	some	or	all	hours
worke	d for a	ny of	f the follo	wing	task	s?										

e	d for any of the following task	xs?
	(A) Performing Pre-Trip Insp	pections
	Yes	No
	(B) Performing Post-Trip Ins	spections
	Yes	No
	(C) Fueling the Tractor	
	Yes	No
	(D) Washing the Tractor/Tra	iler
	Yes	No
	(E) Weighing the Tractor/Tra	ailer at an Independent Weigh Station
	Yes	No
	(F) Performing Adjustments	after Weighing the Tractor/Trailer at an Independent Weigh
	Station	
	Yes	No
	(G) Undergoing Department	of Transportation Roadside Inspections
	Yes	No
	(H) Meeting with a Driver C	oordinator
	Yes	No
	(I) Taking 10-minute Rest B	reaks
	Yes	No
	(J) Taking 10-hour Layovers	
	Yes	No
	(K) Waiting at a Vendor or S	Store Location
	Yes	No

1	If your answer to any task in Question No. 31 is "yes," then proceed to Question No. 32. If you
2	answered "no" for all tasks, stop here, answer no further questions, and have the presiding juror
3	sign and date this form.
4	Question No. 32:
5	For any of the tasks that you answered "yes" in Question No. 31, what is the amount of
6	wages owed to Karl Merhoff for hours worked at pay less than the minimum wage?
7	(A) Performing Pre-Trip Inspections: \$
8	(B) Performing Post-Trip Inspections: \$
9	(C) Fueling the Tractor: \$
10	(D) Washing the Tractor/Trailer: \$
11	(E) Weighing the Tractor/Trailer: \$
12	(F) Performing Adjustments after Weighing the Tractor/Trailer at an Independent Weigh
13	Station: \$
14	(G) Undergoing Department of Transportation Roadside Inspections: \$
15	(H) Meeting with a Driver Coordinator: \$
16	(I) Taking 10-minute Rest Breaks: \$
17	(J) Taking 10-hour Layovers: \$
18	(K) Waiting at a Vendor or Store Location: \$
19	
20	CIVIL PENALTIES
21	Question No. 33:
22	Did Wal-Mart intentionally fail to pay minimum wage to Karl Merhoff, in any pay period
23	from October 10, 2007 to October 15, 2015?
24	Yes No
25	Question No. 34:
26	For how many pay periods did Wal-Mart fail to pay minimum wage to Karl Merhoff from
27	October 10, 2007 to October 15, 2015?
28	pay periods