

United States District Court
For the Northern District of California

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

WANDA JOHNSON, *et al.*,

Plaintiffs,

v.

BAY AREA RAPID TRANSIT DISTRICT,
et al.,

Defendants.

AND RELATED ACTIONS.

No. C-09-0901 EMC

CONSOLIDATED CASES

C-09-4014 EMC (Grant)
C-09-4835 EMC (Bryson, *et al.*)
C-10-0005 EMC (Caldwell)

**SPECIAL VERDICT FORM RE OSCAR
GRANT, JR.**

We, the jury, answer the questions submitted to us as follows.

OSCAR GRANT, JR.

Question 1:

Did OSCAR GRANT, JR. prove by a preponderance of the evidence that his relationship with Oscar Grant, III was one which involved deep attachments and commitments to one another which resulted in the sharing of a special community of thoughts, experiences and beliefs as well as the distinctively personal aspects of each others lives?

_____ Yes _____ No

Regardless of your answer, please answer Question Number 2.

///
///

1 **Question 2:**

2 Did OSCAR GRANT, JR. prove by a preponderance of the evidence that JOHANNES
3 MEHSERLE acted against Oscar Grant, III with a purpose to harm unrelated to any law enforcement
4 objective?

5

6 _____ Yes _____ No

7 If you answered “yes” to Question Number 2, please answer Question Number 3. If you
8 answered “no” to Question Number 2, STOP.

9

10 **Question 3:**

11 Did JOHANNES MEHSERLE cause injury or death to Oscar Grant, III?

12

13 _____ Yes _____ No

14 If you answered “yes” to Question Numbers 1, 2, and 3, please answer Question Numbers 4
15 and 5. If you answered “no” to either Question Number 1, 2, or 3, STOP.

16

17 **Question 4:**

18 How much in damages (other than punitive damages) is OSCAR GRANT, JR. entitled?

19

20 \$ _____

21

22 **Question 5:**

23 Did OSCAR GRANT, JR. prove by a preponderance of the evidence that JOHANNES
24 MEHSERLE’s conduct was malicious, oppressive, or in reckless disregard of OSCAR GRANT,
25 JR.’s rights?

26

27 _____ Yes _____ No

28

1 If you answered “yes,” you now have the opportunity to award punitive damages. An award
2 of punitive damages serves to punish an individual defendant and act as a deterrent for such future
3 conduct, rather than pay someone back for what they lost. The jury may award punitive damages
4 only if it concludes that JOHANNES MEHSERLE’s conduct was either motivated by malicious,
5 oppressive, or in reckless disregard of indifference to OSCAR GRANT, JR.’s rights.

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What, if any, punitive damages do you award to OSCAR GRANT, JR.?

\$ _____

Please have the foreperson sign and date this form. Then return the form to the Courtroom
Deputy.

Dated: _____

JURY FOREPERSON