

**United States District Court**

For the Northern District of California

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6 IN THE UNITED STATES DISTRICT COURT  
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8 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
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10 FREDERICK JACKSON, ASHLEY NICOLE  
11 JACKSON, and BRIANA FREDRANIQUE  
ANNETTE JACKSON,

12 Plaintiffs,

No. C 09-01016 WHA

13 v.

14 G. LOMBARDI, individually and as an officer of the  
15 City of Pittsburg Police Department (Badge # 275),  
16 C. SMITH, individually and as an officer of the City  
of Pittsburg Police Department (Badge # 285),  
17 P. DUMPA, individually and as an officer of the  
City of Pittsburg Police Department (Bade # 291),  
and WILLIAM BLAKE HATCHER, individually  
18 and as an officer of the City of Pittsburg Police  
Department (Badge # 274),

19 Defendants.  
20 \_\_\_\_\_/

21  
22  
23 SPECIAL VERDICT FORM  
24  
25  
26  
27  
28

1. **FREDERICK JACKSON:**

A. With respect to the tasing, has plaintiff Frederick Jackson proven that any of the following officers used excessive force against him in violation of the Fourth Amendment?

	Yes	No
Officer Lombardi	_____	_____
Officer Smith	_____	_____
Officer Dumpa	_____	_____

B. With respect to the alleged slamming against the vehicle, has plaintiff Frederick Jackson proven that any of the following officers used excessive force against him in violation of the Fourth Amendment?

	Yes	No
Officer Hatcher	_____	_____
Officer Smith	_____	_____

C. With respect to his arrest, has plaintiff Frederick Jackson proven that any of the following officers arrested him without probable cause in violation of the Fourth Amendment?

	Yes	No
Officer Lombardi	_____	_____
Officer Smith	_____	_____
Officer Dumpa	_____	_____

1 D. With respect to the tasing, has plaintiff Frederick Jackson proven  
2 that any of the following officers tased him in retaliation for using speech  
3 protected by the First Amendment?

	Yes	No
4 Officer Lombardi	_____	_____
5 Officer Smith	_____	_____
6 Officer Dumpa	_____	_____

7  
8  
9 E. With respect to the alleged slamming against the vehicle, has  
10 plaintiff Frederick Jackson proven that any of the following officers slammed him  
11 against a vehicle in retaliation for using speech protected by the First  
12 Amendment?

	Yes	No
13 Officer Hatcher	_____	_____
14 Officer Smith	_____	_____

15  
16  
17 F. With respect to his arrest, has plaintiff Frederick Jackson proven  
18 that any of the following officers arrested him in retaliation for using speech  
19 protected by the First Amendment?

	Yes	No
20 Officer Lombardi	_____	_____
21 Officer Smith	_____	_____
22 Officer Dumpa	_____	_____

23  
24  
25 G. If you have answered “yes” to any of the foregoing questions, state  
26 the amount of damages proven for each category of alleged conduct for which  
27 you have answered “yes.” The total damages award, if any, must be apportioned  
28 by you into the three categories shown, *i.e.*, the three categories must add up to

the total (if any). (If no damages have been proven but you nonetheless have found a constitutional violation, you may award nominal damages up to one dollar.)

Tasing \$ \_\_\_\_\_

Slamming \$ \_\_\_\_\_

Arrest \$ \_\_\_\_\_

Total \$ \_\_\_\_\_

2. **ASHLEY JACKSON:**

A. Has plaintiff Ashley Jackson proven that Officer Lombardi used excessive force against her on March 30, 2008, in violation of the Fourth Amendment?

Yes \_\_\_\_\_ No \_\_\_\_\_

B. If so, state the amount of any damages proven (or indicate up to one dollar in nominal damages):

\$ \_\_\_\_\_

3. **BRIANA JACKSON:**

A. Has plaintiff Briana Jackson proven her claim of negligent infliction of emotional distress as to any of the following defendants?

Yes No

Officer Lombardi \_\_\_\_\_

Officer Smith \_\_\_\_\_

Officer Dumpa \_\_\_\_\_

B. If so, state the amount of any damages proven:

\$ \_\_\_\_\_

4. If you have answered "yes" to any of Questions 1 and 2, state whether plaintiffs have proven by clear and convincing evidence that punitive damages should be awarded against any officer you find violated any Fourth Amendment rights:

	Yes	No
Officer Lombardi	_____	_____
Officer Smith	_____	_____
Officer Dumpa	_____	_____
Officer Hatcher	_____	_____

If you answer "yes" as to this question, then there will be a short supplemental proceeding immediately after your verdict. The purpose of the short supplemental proceeding would be to allow you to fix the amount of any punitive damages.

ONCE YOU HAVE FINISHED ANSWERING THE NECESSARY QUESTIONS UNANIMOUSLY, PLEASE HAVE THE FOREPERSON SIGN AND DATE THIS FORM. THEN CONTACT THE DEPUTY OR MARSHAL TO INFORM HIM OR HER THAT YOU HAVE COMPLETED YOUR DELIBERATIONS.

Dated: July \_\_\_\_, 2010.

\_\_\_\_\_  
FOREPERSON