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9 **UNITED STATES DISTRICT COURT**  
10 **NORTHERN DISTRICT OF CALIFORNIA**  
11 **SAN FRANCISCO DIVISION**

12 GARY ARDEN,

13 Plaintiff,

14 v.

15 FRANK KASTELL,

16 Defendant.  
17

Case No. 3:10-cv-00436 NC

**PROPOSED VERDICT FORM**

18 We, the jury, unanimously find the following by a preponderance of the evidence:

19 (1) Did Frank Kastell act under color of state law?

20 Answer: Yes \_\_\_\_\_ No \_\_\_\_\_

21 If you answered "Yes" to Question (1), proceed to Question (2). If you answered  
22 "No," to Question (1), please skip to bottom, sign and return.

23 (2) Did Frank Kastell deliberately make a false statement in a police report  
24 in violation of Gary Arden's Fourteenth Amendment right to due process of  
25 law?

26 Answer: Yes \_\_\_\_\_ No \_\_\_\_\_

27 If you answered "Yes" to Question (2), proceed to Question (3). If you answered  
28 "No," to Question (2), please skip to bottom, sign and return.

Case No. 3:10-cv-00436 NC  
VERDICT FORM

1 (3) Did Frank Kastell's act, described in Part (2) above, cause injury to Gary  
2 Arden?

3 Answer: Yes \_\_\_\_\_ No \_\_\_\_\_

4 If you answered "Yes" to Question (3), proceed to Question (4). If you answered  
5 "No," to Question (3), please skip to bottom, sign and return.

6 (4) State the amount that will fairly compensate Gary Arden for all the  
7 injury and damage he actually sustained as a result of Frank Kastell's  
8 conduct. If no damages are attributable to Frank Kastell, enter zero. If  
9 nominal damages are attributable to Frank Kastell, enter \$1.

10 Answer: \$ \_\_\_\_\_

11 (Fill in Dollar Figure)

12 SO SAY WE ALL, this \_\_\_\_ day of October, 2014.

13 \_\_\_\_\_  
14 Presiding Juror

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