

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

FRANK ALLEN,
Plaintiff,

No. C 11-03110 WHA

v.

SPECIAL VERDICT FORM

RADIO SHACK CORPORATION,
Defendant.

YOUR ANSWERS TO THE FOLLOWING QUESTIONS MUST BE UNANIMOUS.

- 1. Has plaintiff Frank Allen proven his claim for race discrimination against defendant RadioShack? **YES** _____ **NO** _____
- 2. Has plaintiff Frank Allen proven his claim for age discrimination against defendant RadioShack? **YES** _____ **NO** _____
- 3. Has plaintiff Frank Allen proven his claim for retaliation for engaging in protected activity? **YES** _____ **NO** _____

IF YOU HAVE ANSWERED "YES" TO ANY OF THE ABOVE, PLEASE CONTINUE TO QUESTION FOUR. IF YOU HAVE ANSWERED "NO" TO ALL OF THE ABOVE, PLEASE DO NOT ANSWER QUESTION FOUR AND INSTEAD PROCEED TO QUESTION 5.

- 4. Has plaintiff Frank Allen proven his claim for discharge in violation of public policy? **YES** _____ **NO** _____

YOUR ANSWER TO THE FOLLOWING QUESTION MUST BE UNANIMOUS.

- 5. Has plaintiff Frank Allen proven his claim for intentional infliction of emotional distress? **YES** _____ **NO** _____

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

IF YOU HAVE ANSWERED “YES” TO ANY OF THE ABOVE, PLEASE CONTINUE TO THE REST OF THE QUESTIONS BELOW. IF YOU HAVE ANSWERED “NO” TO ALL OF THE ABOVE, YOUR DELIBERATIONS ARE COMPLETED AND YOU NEED NOT ANSWER ANY OF THE QUESTIONS BELOW.

6. Has defendant RadioShack proven that it would have terminated Frank Allen for legitimate reasons anyway? If yes, state when such termination would have occurred.

YES _____ **NO** _____
If YES, when? _____

7. State the amount of compensatory damages you find recoverable for each of the following categories as a result of any of the claims proven by Frank Allen.

- a) Past lost wages and benefits \$ _____
- b) Future lost wages and benefits \$ _____
- c) Past emotional distress \$ _____
- d) Future emotional distress \$ _____

8. Has plaintiff Frank Allen proven by clear and convincing evidence that punitive damages, over and above compensatory damages, should be awarded in favor of plaintiff and against RadioShack?

YES _____ **NO** _____

(If you answer yes, we will hold a short further supplemental trial and you will have a further supplemental deliberation to determine the amount of any such punitive damages.)

When this form is completed, the jury foreperson should date and sign it and advise the Court that you have reached a verdict.

Dated: _____
JURY FOREPERSON