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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

AARON VELARDE, et al.,  
Plaintiffs,  
v.  
UNION CITY POLICE DEPARTMENT, et  
al.,  
Defendants.


Case No. [13-cv-04011-JD](#)

**PROPOSED SPECIAL VERDICT FORM**

The Court proposes to provide the jury with this special verdict form on December 11, 2015. The parties have until 7:30 a.m. on December 11, 2015 to file any objections to this proposed verdict form.

**IT IS SO ORDERED.**

Dated: December 10, 2015

  
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JAMES DONATO  
United States District Judge

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Your answers must be unanimous:

**Question No. 1: Section 1983 Excessive Force under the Fourth Amendment**

Do you find by a preponderance of the evidence that one or more of the defendants violated Heide Velarde's Fourth Amendment rights by using unreasonable force against her?

Baumgartner  YES  NO

J. Martin  YES  NO

**Question No. 2: Section 1983 Unlawful Arrest under the Fourth Amendment**

Do you find by a preponderance of the evidence that one or more of the defendants violated Heide Velarde's Fourth Amendment rights by arresting her without probable cause?

Baumgartner  YES  NO

J. Martin  YES  NO

**Question No. 3: State Law Assault**

Do you find by a preponderance of the evidence that one or more of the defendants assaulted Heide Velarde?

Baumgartner  YES  NO

J. Martin  YES  NO

**Question No. 4: State Law Battery**

Do you find by a preponderance of the evidence that one or more of the defendants battered Heide Velarde?

Baumgartner  YES  NO

J. Martin  YES  NO

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**Question No. 5: State Law False Arrest**

Do you find by a preponderance of the evidence that one or more of the defendants wrongfully arrested Heide Velarde?

Baumgartner     YES     NO

J. Martin         YES     NO

**Question No. 6: Damages**

**Answer this question only if you answered “yes” in at least one of Questions 1 through 5.**

What amount of damages has Heide Velarde proven by a preponderance of evidence that will fairly and reasonably compensate her for her injury?

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

Dated: \_\_\_\_\_

\_\_\_\_\_

FOREPERSON