

United States District Court Northern District of California

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United States District Court

CLAIM 1 – WARRANTLESS ENTRY OF APARTMENT

1. As to Claim 1, has plaintiff Mario Torres proven by a preponderance of the evidence that defendant Mike Hansen and/or Daniel Smith violated plaintiff's Fourth Amendment rights when the officers entered the apartment on July 4, 2012, without a warrant?

	Officer Hansen	Yes	No
	Officer Smith	Yes	No
If your an	swer to both parts of the	is question was "no	o," please skip to Question 4. Ot
please ans	swer the next question.		
2. As to	Claim 1, has plaintiff M	Iario Torres prover	by a preponderance of the evide
the de	fendant(s) caused him	injury, damage or i	narm?
	Officer Hansen	Yes	No
	Officer Smith	Yes	No
16	owner to both north of th	is question was "n	o "you must sword nominal dar
If your an	swer to both parts of th	iis question was in	o," you must award nominal dar
-	en skip to Question 4.	-	-
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3	CLAIM 2 – EXCESSIVE FORCE PRIOR TO HANDCUFFING				
4	4. As to Claim 2, has plaintiff Mario Torres proven by a preponderance of the evidence that				
5	defendant Mike Hansen and/or Daniel Smith used excessive force against him inside the				
6	apartment <u>prior</u> to plaintiff being handcuffed?				
7					
8	Officer Hansen Yes No				
9	Officer Smith Yes No				
10					
11	If your answer to both questions was "no," please skip to Question 7. Otherwise, please				
12	answer the next question.				
13					
14	5. As to Claim 2, has plaintiff Mario Torres proven by a preponderance of the evidence that				
15	the defendant(s) caused him injury, damage or harm?				
16	Officer Hansen Yes No				
17	Officer Smith Yes No				
18	If your answer to both parts of this question was "no," you must award nominal damages of				
19	\$1, and then skip to Question 7. Nominal damages: \$				
20	If either answer to this question was "yes," please answer the next question.				
21					
22					
23	6. As to Claim 2, state the amount of compensatory damages proved by plaintiff Mario				
24	Torres.				
25	Officer Hansen \$				
26	Officer Smith \$				
27	Please answer the next question.				
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5	CLAIM 3 – EXCESSIVE FORCE AFTER HANDCUFFING	
6	7. As to Claim 3, has plaintiff Mario Torres proven by a preponderance of the evidence that	
7	defendant Michael Hansen used excessive force against him inside the apartment after	
8	plaintiff was handcuffed?	
9		
10	Yes No	
11		
12	If your answer was "no," please skip to Question 10. Otherwise, please answer the next	
13	question.	
14		
15	8. As to Claim 3, has plaintiff Mario Torres proven by a preponderance of the evidence that	
16	defendant Michael Hansen caused him injury, damage or harm?	
17	Yes No	
18	If your answer to this question was "no," you must award nominal damages of \$1, and then	
19	skip to Question 10. Nominal damages: \$	
20	If your answer to this question was "yes," please answer the next question.	
21		
22		
23	9. As to Claim 3, state the amount of compensatory damages proved by plaintiff Mario	
24	Torres.	
25	Officer Hansen \$	
26	Please go to the next question.	
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PUNITIVE DAMAGES

If you answered "no" to all of the previous questions, do not consider any of the remaining questions and go to the end of the verdict form. Please have the jury foreperson sign and date the form, and return it to the courtroom deputy. If you answered "yes" to any part of Question 1, 4 or 7, please answer the next question.

10. Has plaintiff Mario Torres proven by a preponderance of the evidence that defendants' conduct was malicious, oppressive or committed in reckless disregard of his constitutional rights?

> No _____ Officer Hansen Yes _____ Yes _____ Officer Smith No

If you answered "no" to this question, skip Question 11 and go to the end of the verdict form. Please have the jury foreperson sign and date the form, and return it to the courtroom deputy. If you answered "yes" to this question, please answer Question 11.

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11. State the amount of punitive damages that you award. \$_____ Officer Hansen \$_____ Officer Smith Please have the foreperson sign and date the form. Dated: Foreperson