UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF CALIFORNIA

MARIO TORRES,

Plaintiff,

v.

MIKE HANSEN and DANIEL SMITH,

Defendants.

Case No. <u>16-cv-06607-SI</u>

VERDICT FORM

CLAIM 1 – WARRANTLESS ENTRY OF APARTMENT

1. As to C	laim 1, has plaintiff Ma	rio Torres proven by	a preponderance of the evidence that
defenda	ant Mike Hansen and/o	or Daniel Smith viol	ated plaintiff's Fourth Amendment
rights v	when the officers entered	d the apartment on Ju	aly 4, 2012, without a warrant?
	Officer Hansen	Yes	No
	Officer Smith		
	wer to both parts of this wer the next question.	question was "no," p	lease skip to Question 5. Otherwise,
1	1		
2. As to C	laim 1, has plaintiff Ma	rio Torres proven by	a preponderance of the evidence that
the defe	endant(s) caused him in	jury, damage or harn	n?
	Officer Hansen	Yes	No
	Officer Smith		
	wer to both parts of this n skip to Question 4. \textit{ \text{N}}		you must award nominal damages of
If either an	swer to this question wa	as "yes," please answ	ver the next question.
3. As to 0	Claim 1, state the amou	int of compensatory	damages proved by plaintiff Mario
Torres.			
	\$		
Please ansv	wer the next question.		
	-		
4. As to 0	Claim 1, has plaintiff M	Mario Torres proven	by a preponderance of the evidence
that def	fendants' conduct was 1	nalicious, oppressive	e or committed in reckless disregard
of his c	onstitutional rights?		
	Officer Hansen	Yes	No
	Officer Smith	Yes	No
Please ansv	wer the next question.		

CLAIM 2 – EXCESSIVE FORCE PRIOR TO HANDCUFFING

As to Cla defendan	t Mike Hansen and/o	or Daniel Smith us	ed excessive force against him	inside th
apartmen	t <u>prior</u> to plaintiff be	eing handcuffed?		
	Officer Hansen	Yes	No	
	Officer Smith	Yes	No	
	er to both questions		kip to Question 9. Otherwise,	please
6. As to Cla	im 2, has plaintiff M	[ario Torres prover	by a preponderance of the evic	lence th
the defen	dant(s) caused him i	injury, damage or	narm?	
	Officer Hensen	Yes	No	
	Officer Hallsen			
If your answe \$1, and then	Officer Smith er to both parts of th skip to Question 8.	Yes is question was "n Nominal damage	No o," you must award nominal da s: \$ enswer the next question.	mages (
If your answe \$1, and then If either answ 7. As to Cla	Officer Smith er to both parts of the skip to Question 8. wer to this question v	Yesis question was "n Nominal damage was "yes," please	o," you must award nominal da	
If your answe \$1, and then If either answ	Officer Smith er to both parts of the skip to Question 8. wer to this question was aim 2, state the amount	Yesis question was "n Nominal damage was "yes," please	o," you must award nominal date: \$ answer the next question.	
If your answe \$1, and then If either answ 7. As to Cla Torres.	Officer Smith er to both parts of the skip to Question 8. wer to this question v	Yesis question was "n Nominal damage was "yes," please	o," you must award nominal date: \$ answer the next question.	
If your answes \$1, and then If either answes 7. As to Cla Torres. Please answes 8. As to Cla defendan	Officer Smith er to both parts of the skip to Question 8. Ever to this question was aim 2, state the amount of the next question. The next question was male to both the skip to Question was male to both the skip the skip to both the skip to both the skip to both the skip t	Yesis question was "n Nominal damage was "yes," please ount of compensationario Torres proven	o," you must award nominal date: \$ answer the next question.	iff Mari
If your answes \$1, and then If either answes 7. As to Cla Torres. Please answes 8. As to Cla defendant constitution	Officer Smith er to both parts of the skip to Question 8. Ever to this question was aim 2, state the amount of the next question. The next question was malified to conduct was malified to both parts?	Yesis question was "n Nominal damage was "yes," please ount of compensation of compensation of the	p," you must award nominal date: s: \$ answer the next question. ory damages proved by plaint by a preponderance of the evice or committed in reckless disreg	iff Mari
If your answes \$1, and then If either answes 7. As to Cla Torres. Please answes 8. As to Cla defendant constituti	Officer Smith er to both parts of the skip to Question 8. Ever to this question was aim 2, state the amount of the next question. The next question was malified to conduct w	Yes is question was "n Nominal damage was "yes," please ount of compensate fario Torres prover icious, oppressive Yes	p," you must award nominal date: s: \$ answer the next question. ory damages proved by plaint by a preponderance of the evice or committed in reckless disreg	iff Mari

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CLAIM 3 – EXCESSIVE FORCE AFTER HANDCUFFING

plainti	nt Michael Hansen used excessive force against him inside the apartment <u>after</u> was handcuffed?
If your an	Yes No wer was "no," please skip to Question 13. Otherwise, please answer the nex
question.	
10. As to C	aim 3, has plaintiff Mario Torres proven by a preponderance of the evidence tha
defend	nt Michael Hansen caused him injury, damage or harm?
skip to Qu	Yes No ver to this question was "no," you must award nominal damages of \$1, and ther stion 12. Nominal damages: \$ ver to this question was "yes," please answer the next question.
11. As to	claim 3, state the amount of compensatory damages proved by plaintiff Mario
Torres	
	\$
Please go	the next question.
11. As to (aim 3, has plaintiff Mario Torres proven by a preponderance of the evidence tha
defend	nts Mike Hansen's conduct was malicious, oppressive or committed in reckless
disrega	d of his constitutional rights?
C	

PUNITIVE DAMAGES

12. If you answered "no" to all parts of Questions 4, 8 and 12, 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 Questions 4, 8 or 12, please answer the next question.					
13. State the amount of punitive damages that you award.					
Officer Hansen \$					
Officer Smith \$					
Please have the foreperson sign and date the form.					
Dated:					

Foreperson