

ATTACHMENT A

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

JUAN LUCERO, JR.,
Plaintiff,
v.
JOHN ETTARE, et al.,
Defendants.

Case No. 15-cv-02654-KAW

JUROR QUESTIONNAIRE

United States District Court
Northern District of California

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Please fill out this form as completely as possible and print clearly. Since we want to make copies for the attorneys and the Court, do not write on the back of any page. If you need more room, continue at the bottom of the page. Thank you for your cooperation.

1. Your name: _____
2. Your age: _____
3. The city where you live: _____
How long have you lived there: _____
4. Your place of birth: _____
5. The city where you grew up: _____
6. Do you rent or own your own home? _____
7. What are your hobbies, major interests, recreational pastimes, and spare-time activities?

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8. Please describe your educational background:
Highest grade completed: _____
College and/or vocational schools you have attended:

Major areas of study: _____
Professional or trade certifications: _____
9. What is your occupation, and how long have you worked in it? (If you are retired, please describe your main occupation when you were working).

10. Who is (or was) your employer?

11. Please list the occupations of any adults with whom you live.

12. If you have children, please list their ages and gender and, if they are employed, please give their occupations.

13. Do you have any family or friends who have been employed in law enforcement? If yes, please list their relationship to you and occupation.

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14. Have you ever served on a jury before? _____ How many times? _____

If yes: State/County Court _____ Federal Court _____

When? _____

Was it a civil or criminal case? _____

Did the jury(ies) reach a verdict? _____

15. Have you ever served on a grand jury? _____

If yes: State/County Court _____ Federal Court _____

When? _____

Was it a civil or criminal? _____

16. Have you, or any members of your immediate family, ever been a plaintiff or defendant in any lawsuit? (a) If so, what happened? (b) Was the issue resolved to your satisfaction? If not, why not?

17. Have you ever served in the military? _____

If yes: Country you served _____

Branch _____

Length of Service _____

Last Rank _____

18. Have you, or has anyone in your family or a close friend, had contact with law enforcement? If so, identify whom and explain the extent of that contact.

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19. Have you, or has anyone in your family or a close friend, been arrested, formally charged with a crime, or convicted of a crime? If so, who?

20. Have you, or has anyone in your family or a close friend, had a serious incident involving alcohol (for example, public intoxication, driving under the influence)? If so, describe the circumstances of the incident.

21. Do you have any reason to believe you would not be impartial towards police officers or police agencies, one way or another? If so, explain.

22. This is a civil rights action, where Plaintiff alleges claims for false arrest and excessive force. Plaintiff was arrested by the Berkeley Police Department on September 7, 2013, after attending the BrewFest at the Pyramid Alehouse and Brewery in Berkeley. Plaintiff alleges he and his brother witnessed a fight near his car, when someone hit Plaintiff in the front of his neck. Plaintiff fell, and his brother intervened to help him. Defendant Officer Ettare arrested Plaintiff and his brother, during which he slammed Plaintiff against the passenger side mirror, breaking it. Plaintiff was transported to the Berkeley Police Department jail. There, Plaintiff was taken to a safety cell, where officers proceed to beat him, breaking his ankle and causing him to lose consciousness. Plaintiff was later transported to Alta Bates Hospital after complaining of an ankle injury. Defendants allege that Officer Ettare was dispatched to the scene after reports of a fight, and that he saw Plaintiff in the middle of the road. Officer Ettare witnessed a vehicle, later identified as Plaintiff's vehicle being driven by Plaintiff's brother, hit Plaintiff's left arm, causing the mirror to fall off. Officer Ettare arrested Plaintiff on suspicion of being drunk in public. Plaintiff was taken to the Berkeley Police Department jail, where he was verbally abusive and combative. Plaintiff was placed in a safety cell, and Defendants deny beating Plaintiff. When Plaintiff complained of an ankle injury, he was taken to Alta Bates Hospital.

Have you heard about this dispute? If so, will you be able to put aside anything that you have heard, and decide this case based solely on the evidence presented and the law as

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instructed by the Court?

23. Do you know anyone who works as a judge, a clerk, a bailiff, an attorney, a court reporter or in any other court-related job? If so, who?

24. Have you, or any members of your immediate family, ever worked for the City of Berkeley or Berkeley Police Department? Do you have any strong feelings about the City of Berkeley or the Berkeley Police Department, one way or another?

25. Below is a list of the parties, attorneys, and persons who are potential witnesses in this case. Do you know, or think you know, any of the persons listed?

Yes: _____ No: _____

If so, make a checkmark next to their name.

Parties and attorneys

Juan Lucero, Jr., Plaintiff
Anthony Boskovich, Plaintiff's attorney

John Ettare, Defendant
Kyle Howe, Defendant
Lynne Sarah Bourgault, Defendants' attorney

Witnesses

| | | |
|------------------|-------------------------|----------------|
| Jennifer Wilson | Donald Haymore | Calvin Mettler |
| Edward Spiller | Sandra Lucero | Leon McDaniels |
| Ross Kassebaum | Roberto Lucero | Thomas Green |
| Michael Louie | Barry Gustin | Jimmy Cardoza |
| Skyler Ramey | Sarah M. Kelmenson-Chau | Charlie Rice |
| Alicia Escamillo | | |

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26. Do you have any reason to believe you will not be impartial towards any of the parties, attorneys, and persons who are listed as potential witnesses in this case?

27. Below is a list of the court staff. Do you know, or think you know, any of the persons listed?

Yes: _____ No: _____

If so, make a checkmark next to their name.

| | |
|------------------|--------------------|
| Kandis Westmore | Sue Imbriani |
| Alexandria Fearn | Treesineu McDaniel |
| Jessica Cheng | |

28. Do you have any disabilities that would prevent you from serving on a 5-day jury trial? If yes, please explain:

29. Do you have any other reason that would prevent you from serving on a 5-day jury trial? If yes, please explain:

30. Is there anything about you that you believe might be important for the Court or the attorneys to know but that hasn't been asked yet?

_____ Yes _____ No

If yes, please explain:

Dated:

Juror Signature