

ATTACHMENT C

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

JUAN LUCERO, JR.,
Plaintiff,

v.

JOHN ETTARE, et al.,
Defendants.

Case No. 15-cv-02654-KAW

VERDICT FORM

Unlawful Detention and Arrest Claim Against Defendant Ettare

1. Has Plaintiff Lucero proven by a preponderance of the evidence that he was arrested without probable cause?

Yes _____ No _____

Excessive Force Claim Against Defendants Ettare and Howe

2. Has Plaintiff Lucero proven by a preponderance of the evidence that Defendant Ettare used unreasonable, excessive force against Plaintiff Lucero at the time of his arrest?

Yes _____ No _____

3. Has Plaintiff Lucero proven by a preponderance of the evidence that Defendant Ettare used unreasonable, excessive force against Plaintiff during his detention?

Yes _____ No _____

United States District Court
Northern District of California

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4. Has Plaintiff Lucero proven by a preponderance of the evidence that Defendant Howe used unreasonable, excessive force against Plaintiff during his detention?

Yes _____ No _____

If you have answered "No" to Questions 1 through 4, then skip all the remaining questions on this form, and sign and date the form below. If you have answered "Yes" to any of the questions above, proceed to Question 5 below.

5. What amount do you award to Plaintiff Lucero as compensatory damages for economic and non-economic damages sustained by Plaintiff that was caused by the "Yes" answers to the questions above?

Defendant Ettare _____
Defendant Howe _____

6. If you have answered "Yes" to Question 1, 2, or 3 above, did Plaintiff Lucero prove that Defendant Ettare's conduct was malicious, oppressive, or in reckless disregard for Plaintiff Lucero's constitutional rights?

Yes _____ No _____

7. If you have answered "Yes" to Question 4 above, did Plaintiff Lucero prove that Defendant Howe's conduct was malicious, oppressive, or in reckless disregard for Plaintiff Lucero's constitutional rights?

Yes _____ No _____

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If you have answered "No" to Questions 6 and 7, then skip the remaining question on this form, and sign and date the form below. If you have answered "Yes" to any of the questions above, proceed to Question 8 below.

8. What amount, if any, do you award to Plaintiff Lucero as punitive damages?

Defendant Ettare _____

Defendant Howe _____

Dated: _____

Presiding Juror