

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION


	)	Case No.: C 07-5490 PSG
	)	
JERMAINE MONTIEL,	)	
	)	
Plaintiff,	)	<b>SUPPLEMENTAL JURY</b>
	)	<b>INSTRUCTION</b>
v.	)	
	)	
CITY OF SAN JOSE, et al,	)	
	)	
Defendants.	)	

---

The jury is ordered to replace the current eighth page of the verdict form with the new version of the page attached to this order. The attached page changes the punitive damages instruction by replacing “fraud” with “reckless disregard of Plaintiff’s rights.”

**IT IS SO ORDERED.**

Dated: June 17, 2013

  
 \_\_\_\_\_  
 PAUL S. GREWAL  
 United States Magistrate Judge

Only answer Question 29 if you answered "Yes" to one or both officers in Questions 2 (Excessive Force Claim), 5 (Unreasonable Arrest Claim), 8 (Unreasonable Detention Claim), 12 (False Arrest Claim), 16 (Battery Claim), 18 (Delay of Medical Care Claim), or 19 (Bane Act Claim).

29. Did the officer(s) engage in malice, oppression, or in reckless disregard of Plaintiff's rights with respect to the listed claims for which you answered "Yes" above?

Officer Matt Williams      \_\_\_\_\_ Yes      \_\_\_\_\_ No

Sergeant Carl Sheppard      \_\_\_\_\_ Yes      \_\_\_\_\_ No

If you answered "Yes" as to one or both officers, go to Question 30 and answer as to each of the officers for whom you answered "Yes." If not, stop here, answer no further questions, and have the foreperson sign and date this form.

30. What amount, if any, do you award in punitive damages?

Officer Matt Williams \$\_\_\_\_\_

Sergeant Carl Sheppard \$\_\_\_\_\_

Have the foreperson sign and date this form.

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