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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

MERCEDES MARKER,
Plaintiff,
v.
CITY OF SAN JOSE AND SON VU,
Defendants.

Case No. C-09-05956-RMW

DRAFT JURY VERDICT FORM

1 We, the jury, unanimously agree to the answers to the following questions and return them
2 under the instructions of this Court as the verdict in this case:
3

4 **I. Federal Civil Rights**

5 **a. First Amendment**

6 Did defendant Officer Vu violate plaintiff Marker's right to be free from a violation of her
7 First Amendment rights of free speech and expression?

8 Yes _____ No _____

9
10 **b. Fourth Amendment**

11 Did defendant Officer Vu violate plaintiff Marker's right to be free from an unreasonable
12 use of force?

13 Yes _____ No _____

14
15 **II. State Claims**

16 **a. Civil Rights Claim**

17 Did defendant Officer Vu violate plaintiff Marker's rights under California state law by
18 interfering or attempting to interfere, by threats, intimidation or coercion, with the exercise
19 or enjoyment by plaintiff Marker of a constitutional right?

20 Yes _____ No _____

21 **b. False Imprisonment**

22 Did defendant Officer Vu falsely imprison plaintiff Marker?

23 Yes _____ No _____

24
25 **c. Battery**

26 Did defendant Officer Vu commit a civil battery against plaintiff Marker?

27 Yes _____ No _____
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III. Damages (If Applicable)

What do you find to be the total amount of any damages suffered by plaintiff Marker caused by the conduct on which you base your finding of liability?

Answer: \$ _____

You have now reached the end of the verdict form and should review it to ensure it accurately reflects your unanimous determinations. The jury foreperson should sign and date the Verdict Form and return it to the Security Officer.

SIGNED this _____ day of _____, 2014.

Jury Foreperson