

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 14-cv-00887-WYD-CBS

MICHAEL G. POITRA,

Plaintiff,

v.

SCHOOL DISTRICT NO. 1 IN THE COUNTY OF DENVER AND STATE OF
COLORADO; and
ANITA MARCHANT, Individually and as an employee of DENVER PUBLIC SCHOOLS,

Defendants.

FINAL JUDGMENT

Pursuant to and in accordance with Fed. R. Civ. P. 58(a) and the Order, filed on September 11, 2015, by the Honorable Wiley Y. Daniel, Senior United States District Judge, and incorporated herein by reference as if fully set forth, it is hereby

ORDERED that judgment is hereby entered in favor of Defendants, School District No. 1 in the County of Denver and State of Colorado and Anita Marchant, Individually and as an employee of Denver Public Schools, and against Plaintiff, Michael G. Poitra, as to Plaintiff's retaliation claim, due process claim, and tortious interference with contract claim.

THIS MATTER came before the Court and a jury of ten duly sworn to try the matter on January 11, 2016, the Honorable Wiley Y. Daniel, Senior United States District Judge, presiding. On January 11, 2016, one juror was excused and a jury of nine duly sworn remained to try the matter. On January 18, 2016, the jury returned its verdict as follows:

Verdict Form

We, the Jury, being duly impaneled and sworn to try the above-entitled case, unanimously find the following answers to the questions submitted by the Court:

I. TITLE VII DISCRIMINATION BASED ON SEX

1. Has Plaintiff proven by a preponderance of the evidence that he was discriminated against based on his sex?

No

If your answer to Question 1 is “yes”, you have found for the Plaintiff on the discrimination claim based on sex. Proceed to Question 2. If your answer is “no”, skip Question 2 as you have found for the Defendant on this claim and proceed to Section II.

2. Do you find that Plaintiff should be awarded compensatory damages for emotional distress, pain, suffering, inconvenience, mental anguish, embarrassment, humiliation and/or damage to reputation he experienced as a result of Defendant’s discrimination based on sex?

Yes _____ No _____

If your answer to Question 2 is “yes”, in what amount?

(You must award at least \$1 if you also determine that Instruction No. 24 applies.)

\$ _____

II. TITLE VII DISCRIMINATION BASED ON RACE

1. Has Plaintiff proven by a preponderance of the evidence that he was discriminated against based on his race?

No

If your answer to Question 1 is “yes”, you have found for the Plaintiff on the discrimination claim based on race. Proceed to Question 2. If your answer is “no”, skip Question 2 as you have found for the Defendant on this claim and sign and date the verdict form.

2. Do you find that Plaintiff should be awarded compensatory damages for emotional distress, pain, suffering, inconvenience, mental anguish, embarrassment, humiliation and/or damage to reputation he experienced as a result of Defendant’s discrimination based on race?

Yes _____ No _____

If your answer to Question 2 is “yes”, in what amount?

(You must award at least \$1 if you also determine that Instruction No. 24 applies.)

\$ _____

PLEASE SIGN AND DATE THE VERDICT FORM

IT IS THEREFORE

ORDERED that judgment is hereby entered in favor of Defendant, School District No. 1 in the County of Denver and State of Colorado, and against Plaintiff, Michael G. Poitra, on Plaintiff’s claims of Title VII Discrimination Based on Sex and Title VII Discrimination Based on Race. It is further

ORDERED that plaintiff’s complaint and action are dismissed with prejudice. It is further

ORDERED that Defendants shall have their costs by the filing of a Bill of Costs with the Clerk of this Court within fourteen (14) days of entry of judgment, and pursuant to the procedures set forth in Fed. R. Civ. P. 54(d)(1) and D.C.COLO.LCivR 54.1.

DATED at Denver, Colorado this 21st day of January, 2016.

FOR THE COURT:

JEFFREY P. COLWELL, CLERK

/s/ Robert R. Keech

Robert R. Keech,
Deputy Clerk

APPROVED AS TO FORM:

/s/ Wiley Y. Daniel

WILEY Y. DANIEL,
SENIOR UNITED STATES DISTRICT JUDGE