

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION

PHILLIP HAYES,)	
Plaintiff,)	
)	
vs.)	1:08-cv-0006-LJM-DML
)	
C. MAYER, F. VANEK, and C.)	
ANDERSON,)	
Defendants.)	

DRAFT JURY INSTRUCTIONS

INSTRUCTION NO. ____

Members of the jury, the evidence and arguments in this case have been completed, and I will now instruct you as to the law applicable to this case. It is your duty to follow all of the instructions.

You must not question any rule of law stated in these instructions. Regardless of any opinion you may have as to what the law ought to be, you must base your verdict upon the law as it is set out herein.

It is your duty to determine the facts from the evidence in this cause. You are to apply the law given to you in these instructions to the facts and in this way decide the case.

INSTRUCTION NO. ____

Unless you are otherwise instructed, the evidence in the case always consists of the sworn testimony of the witnesses, regardless of who may have called them; all exhibits received in evidence, regardless of who may have produced them; and all facts which may have been admitted or stipulated.

Any evidence to which an objection was sustained by the Court, and any evidence ordered stricken by the Court, must be entirely disregarded.

INSTRUCTION NO. ____

The burden is on the plaintiff to prove every essential element of his case by a preponderance of all of the evidence. A preponderance of the evidence is evidence which, when considered and compared with that opposed to it, has more convincing force and produces in your minds a belief that what is sought to be proved is more likely true than not true. Your verdict may not be based on mere speculation.

If the proof fails to establish any essential element of plaintiff's case by a preponderance of the evidence, or if the evidence on any essential element thereof is equally balanced, then you should find for the defendants.

I will hereafter use the phrase "if you find." Such phrase means "if you find from a preponderance of all the evidence," as just defined.

INSTRUCTION NO. ____

The law of this case is contained in these Instructions, considered as a whole. You are bound by your oath to follow the law.

Your job is to determine the facts. Do so without bias or prejudice against, or sympathy for, either party. All persons, individuals and corporations alike, stand equal before the law and are to be dealt with as equals in the court of justice. You therefore must consider this case as an action between persons of equal standing in the community, of equal worth, and holding similar stations in life.

INSTRUCTION NO. ____

In this case, the defendants are police officers. All parties are equal before the law. Therefore, police officers are entitled to the same fair consideration that you would give any other individual person.

INSTRUCTION NO. ____

You are the sole judges of the credibility -- that is, the believability -- of the witnesses. Reconcile their testimony on the theory that all are accurate and truthful, if you can; but if you cannot, then you must determine whom you will believe and whom you will not believe and what is the truth.

In determining the credibility of the witnesses, you may take into consideration their interest or lack of interest in the result of this suit; their manner and bearing on the witness stand; their means or lack of means of knowing the facts about which they have testified; how far, if at all, they are either supported or contradicted by other evidence; their power of memory or the lack thereof; inconsistent statements made by them, if any; and from all the evidence you will give to each witness the credit to which he or she is entitled.

Inconsistencies or discrepancies in the testimony of a witness, or between the testimony of different witnesses, may or may not cause the jury to discredit such testimony. Two or more persons witnessing an incident or a transaction may see or hear it differently; and innocent mis-recollection, like failure of recollection, is not an uncommon experience. In weighing the effect of any discrepancy, you may consider whether it pertains to a matter of importance or an unimportant detail, and whether the discrepancy results from innocent error or intentional falsehood.

INSTRUCTION NO. ____

The testimony of a witness may be discredited or impeached by contradictory evidence, or by proving that he or she previously made a statement inconsistent with his or her present testimony. Before you could consider a witness to have been impeached on the basis of an earlier contradictory statement, you would, of course, first have to find as a fact that such statement was indeed made by the witness and that it in fact contradicts his or her present testimony, considering all of the circumstances under which you find it to have been made.

If you believe any witness has been impeached, and thus discredited, or has knowingly testified falsely concerning any material matter, you have a right to distrust such witness's testimony in other particulars; and you may reject all the testimony of that witness or give such credibility as you may think it deserves.

Evidence that on some former occasion a witness made a statement inconsistent with his or her testimony in the case may be considered by you only in determining the credibility of the witness and not to establish the truth of the matters contained in that prior statement.

INSTRUCTION NO. ____

There are, generally speaking, two types of evidence. One is direct evidence, such as the testimony of an eyewitness. The other is indirect or circumstantial evidence, that is, proof of a certain fact or facts from which you reasonably may deduce another fact. In other words, circumstantial evidence is that by which proof of one fact also tends to prove another, according to the common experience of mankind.

The law makes no distinction between the two, but simply requires that the jury find the facts in accordance with all the evidence, both direct and circumstantial.

INSTRUCTION NO. ____

You should use your common sense in weighing the evidence and consider the evidence in light of your own observations in life.

In our lives, we often look at one fact and conclude from it that another fact exists. In law we call this an “inference.” A jury is allowed to make reasonable inferences. Any inferences you make must be reasonable and must be based on the evidence in the case.

INSTRUCTION NO. ____

Neither by these instructions, nor by any ruling or remark which I have made, do I mean to indicate any opinion as to the facts or as to what your verdict should be. You are the sole and exclusive judges of the facts.

INSTRUCTION NO. ____

The evidence from which you will find the facts consists of the testimony of witnesses, documents and other things received into the record as exhibits, and any facts the parties agree or stipulate to, or that the court may instruct you to find.

You are to consider only the evidence received in this case. You should consider this evidence in light of your own observations and experiences in life. You may draw such reasonable inferences as you believe to be justified from proved facts.

Certain things are not evidence and must not be considered by you. I will list them for you now:

1. Statements, arguments, and questions by the defendant and by the plaintiff when not testifying under oath are not evidence.

2. Objections to questions are not evidence. The parties were entitled to make an objection when they believed the evidence being offered was improper under the rules of evidence. You should not be influenced by the objection or by the Court's ruling on it. If the objection was sustained, ignore the question. If it was overruled, treat the answer like any other. If you were instructed that some item of evidence is received for a limited purpose only, you must follow that instruction.

3. Testimony that the Court has excluded or told you to disregard is not evidence and must not be considered.

4. Anything you may have seen or heard outside the courtroom is not evidence and must be disregarded. You are to decide the case solely on the evidence presented here in the courtroom.

INSTRUCTION NO. ____

Plaintiff, Phillip Hayes, has brought this law suit alleging that defendants, Officers Christopher Maher, Frank Vanek, and Craig Anderson, violated his constitutional right to be free from unreasonable seizure. Mr. Hayes has brought his claim under a federal statute, 42 U.S.C. § 1983, which provides that any individual may seek redress in this Court, by way of money damages, against any person who, under color of state law, deprives that individual of any of his constitutional rights. The law states, in pertinent part:

Every person who, under color of state statute, ordinance, regulation, custom, or usage, of any State or Territory, subjects, or causes to be subject, any citizen of the United States or other person within the jurisdiction thereof to the deprivation of any rights, . . . secured by the Constitution and laws, shall be liable to the party injured in an action at law, or other proper proceedings for redress.

Mr. Hayes' federal civil rights claim is based upon the principle that the United States Constitution guarantees that every person shall be free from unreasonable seizures. The Fourth Amendment to the United States Constitution provides, in pertinent part:

The right of the people to be secure in their persons . . . against unreasonable . . . seizures, shall not be violated,

Plaintiff, Mr. Hayes, claims that the Defendants violated his Fourth Amendment rights by using unreasonable force against Mr. Hayes during Mr. Hayes's arrest.

The Defendants, Officers Christopher Maher, Frank Vanek, and Craig Anderson, denies that they used unreasonable force against Mr. Hayes during Mr. Hayes's arrest.

INSTRUCTION NO. ____

To prevail on his claim of unreasonable force against Defendant, Christopher Maher, Plaintiff, Mr. Hayes, must establish three elements by a preponderance of the evidence:

1. That Defendant, Christopher Maher, used unreasonable force against Mr. Hayes;
2. That Mr. Maher's acts were a proximate cause of damages to Mr. Hayes; and
3. That Mr. Maher acted under color of State law.

In this case, the parties have stipulated to the fact that Mr. Maher was acting under color of state law during the incident in question. Accordingly, Plaintiff, Mr. Hayes, has proven element 3., the "under color of State law" element of his claim.

If you find that Plaintiff has proved each of these elements by a preponderance of the evidence, then you should find for the Plaintiff, and go on to consider the question of damages.

If, on the other hand, you find that Plaintiff did not prove any one of these elements by a preponderance of the evidence, then you should find for Defendant, Christopher Maher, and you will not consider the question of damages.

INSTRUCTION NO. ____

To prevail on his claim of unreasonable force against Defendant, Frank Vanek, Plaintiff, Mr. Hayes, must establish three elements by a preponderance of the evidence:

1. That Defendant, Frank Vanek, used unreasonable force against Mr. Hayes;
2. That Mr. Vanek's acts were a proximate cause of damages to Mr. Hayes; and
3. That Mr. Vanek acted under color of State law.

In this case, the parties have stipulated to the fact that Mr. Vanek was acting under color of state law during the incident in question. Accordingly, Plaintiff, Mr. Hayes, has proven element 3., the "under color of State law" element of his claim.

If you find that Plaintiff has proved each of these elements by a preponderance of the evidence, then you should find for the Plaintiff, and go on to consider the question of damages.

If, on the other hand, you find that Plaintiff did not prove any one of these elements by a preponderance of the evidence, then you should find for Defendant, Frank Vanek, and you will not consider the question of damages.

INSTRUCTION NO. ____

To prevail on his claim of unreasonable force against Defendant, Craig Anderson, Plaintiff, Mr. Hayes, must establish three elements by a preponderance of the evidence:

1. That Defendant, Craig Anderson, used unreasonable force against Mr. Hayes;
2. That Mr. Anderson's acts were a proximate cause of damages to Mr. Hayes;
and
3. That Mr. Anderson acted under color of State law.

In this case, the parties have stipulated to the fact that Mr. Maher was acting under color of state law during the incident in question. Accordingly, Plaintiff, Mr. Hayes, has proven element 3., the "under color of State law" element of his claim.

If you find that Plaintiff has proved each of these elements by a preponderance of the evidence, then you should find for the Plaintiff, and go on to consider the question of damages.

If, on the other hand, you find that Plaintiff did not prove any one of these elements by a preponderance of the evidence, then you should find for Defendant, Craig Anderson, and you will not consider the question of damages.

INSTRUCTION NO. ____

With respect to element 1., the use of unreasonable force, you must decide whether each Defendants' use of force was unreasonable from the perspective of a reasonable officer facing the same circumstances that the officer faced. You must make this decision based on what the officer knew at the time of the use of force, not based on what you know now. In deciding whether an officer's use of force was unreasonable, you must not consider whether the officer's intentions were good or bad.

In performing his job, an officer can use force that is reasonably necessary under the circumstances.

This issue presents an objective rather than a subjective analysis. This simply means that the Defendants' subjective state of mind is not at issue as to this unreasonable force claim, and that the Defendants' actions are to be judged instead under an objective reasonableness standard.

INSTRUCTION NO. ____

The reasonableness of a particular use of force must be judged from the perspective of a reasonable officer on the scene, and the analysis must embody an allowance for the fact that police officers are often forced to make split-second decisions about the amount of force necessary in a particular situation.

You are to carefully balance the nature and quality of the intrusion on the individual against the countervailing governmental interests at stake. You must consider all the circumstances facing the Defendants, including, but not limited to the following factors:

- 1) The need for the use of force;
- 2) The relationship between the need for the use of force and the amount of force used;
- 3) The extent of Mr. Hayes' injury;
- 4) Any efforts made by the Defendants to temper or limit the amount of force;
- 5) The severity of the suspected crime at issue;
- 6) The threat reasonably perceived by the Defendants; and,
- 7) Whether Mr. Hayes was actively resisting arrest or was attempting to evade arrest by fleeing.

INSTRUCTION NO. ____

As law enforcement officers, the Defendants had the authority to enforce the laws of Indiana in effect at the time of this incident. A police officer has the right to use such force as is reasonably necessary under the circumstances to seize, arrest, or otherwise detain a suspect. In addition, a police officer may also use such force as is reasonably necessary to protect or defend himself or a third person from what the officer reasonably believes to be the imminent danger of serious bodily injury.

INSTRUCTION NO. ____

Generally, a private citizen may not use force in resisting a peaceful detention or arrest by an individual who he knows, or has reason to know, is a police officer performing his duties regardless of whether the detention or arrest in question is lawful or unlawful.

INSTRUCTION NO. ____

With respect to element 2. of Mr. Hayes' § 1983 claim, that the Defendants' acts were a proximate cause of damages to Mr. Hayes, the term "proximate cause" means that cause which, in natural and continuous sequence, unbroken by any efficient intervening cause, produces the injury complained of and without which the result would not have occurred.

An injury is the proximate result of an act or omission whenever it appears:

1. That the act or omission played a substantial part of bringing about or actually causing the injury, and it further appears;
2. That the injury was either a direct result or a reasonable probable consequence of the act or omission.

This does not mean that the law recognizes only one proximate cause of an injury. Many factors or things, or the conduct of two or more persons, may operate at the same time, either independently or together, to cause an injury; and, depending on the circumstances, each may be a proximate cause.

INSTRUCTION NO. ____

With respect to Mr. Hayes claims against each individual Defendant, Mr. Hayes must prove by a preponderance of the evidence that each Defendant was personally involved in the conduct that Plaintiff complains about. You may not hold one Defendant liable for what other Defendants or other people did or did not do.

INSTRUCTION NO. ____

You must give separate consideration to each claim and each party in this case. Although there are three defendants, it does not follow that if one is liable, any of the others is also liable.

Each party is entitled to have the case decided solely on the evidence that applies to that party. You must consider the evidence concerning each individual Defendant's actions only in the case against that particular Defendant. You must not consider it against any other party.

INSTRUCTION NO. ____

You have heard evidence that the Plaintiff, Phillip Hayes, has been convicted of a crime. You may consider this evidence only in deciding whether Mr. Hayes testimony is truthful in whole, in part, or not at all. You may not consider this evidence for any other purpose.

INSTRUCTION NO. ____

If you find that Plaintiff, Mr. Hayes, has proved his unreasonable seizure claim by a preponderance of the evidence, you must then determine what amount of money, if any, is fair compensation for Mr. Hayes' injuries. Plaintiff, Mr. Hayes, has the burden of proving damages by a preponderance of the evidence. Damages means the amount of money that will reasonably and fairly compensate the Plaintiff for the deprivation of his constitutional rights proximately caused by the Defendant. Damages may not be based on speculation, sympathy, or guess-work; you should be guided by dispassionate common sense. Damages must be based on the evidence presented at trial and only that evidence.

INSTRUCTION NO. ____

You should consider the following elements of damages to the extent you find them proved by a preponderance of the evidence and caused by the deprivation of Mr. Hayes'

Fourth Amendment rights, and no others:

1. The reasonable value of medical care and supplies, if any, that Mr. Hayes reasonably needed and actually received following his injury, for which he was required to pay as well as the present value of the care and supplies that he is reasonably certain to need and receive in the future.

When I say "present value," I mean the sum of money needed now which, together with what that sum may reasonably be expected to earn in the future, will equal the amounts of those monetary losses at the times in the future when they will be sustained.

2. The wages, salary, profits or earning capacity that Mr. Hayes has lost and the present value of the wages, salary, profits, earning capacity that Mr. Hayes is reasonably certain to lose in the future because of his inability or diminished ability to work.
3. The physical and mental/emotional pain and suffering and disability or loss of a normal life that Mr. Hayes has experienced and is reasonably certain to experience in the future. No evidence of the dollar value of physical or mental or emotional pain and suffering or disability has been or needs to be introduced. There is no exact standard for setting the damages to be awarded on account of pain and suffering. You are to determine an amount that will fairly compensate the Mr. Hayes for the injury he has sustained.
4. If you find in favor of Mr. Hayes but find that the plaintiff has failed to prove compensatory damages, then you must award Mr. Hayes "nominal damages" in the amount of one dollar.

INSTRUCTION NO. ____

If you find that any of the Defendants violated Mr. Hayes' constitutional rights, you should not include in any damage award any amounts for attorney's fees. Instead, if you find that the Defendants violated Mr. Hayes' constitutional rights, the Court will calculate that amounts separately from any award you make under these instructions.

If you decide for the Defendants, Christopher Maher, Frank Vanek, and Craig Anderson, on the question of liability, then you should not consider the question of damages.

INSTRUCTION NO. ____

If you find for Plaintiff, Mr. Hayes, on his unreasonable force claim against Defendants, Christopher Maher, Frank Vanek, and Craig Anderson, you may, but are not required to, award punitive damages against the Defendants. The purposes of punitive damages are to punish a defendant for his conduct and to serve as an example or warning to defendant and others not to engage in similar conduct in the future.

Plaintiff, Mr. Hayes, has the burden of proving that punitive damages should be awarded, and the amount, by a preponderance of the evidence. You may award punitive damages only if you find by a preponderance of the evidence that Defendants', Christopher Maher, Frank Vanek, and Craig Anderson, conduct was malicious, or in reckless disregard of plaintiff's, Mr. Hayes', rights. Conduct is malicious if it is accompanied by ill will, or spite, or if it is for the purpose of injuring another. Conduct is in reckless disregard of Mr. Hayes' rights if, under the circumstances, it reflects complete indifference to the safety and rights of others.

INSTRUCTION NO. ____

If you find that punitive damages are appropriate, you must use reason in setting the amount. Punitive damages, if any, should be in an amount sufficient to fulfill their purposes but should not reflect bias, prejudice, or sympathy toward any party. In considering punitive damages, you may consider the following factors:

- 1) The degree of reprehensibility of each Defendant's conduct;
- 2) The impact of each Defendant's conduct on Mr. Hayes;
- 3) The likelihood that each Defendant would repeat the conduct if an award of punitive damages is not made; and
- 4) The relationship of any award of punitive damages to any actual harm inflicted on Mr. Hayes.

INSTRUCTION NO. ____

The fact that I have instructed you as to the proper measure of damages should not be considered as intimating any view of mine as to which party is entitled to your verdict in this case. Instructions as to the measure of damages are given for your guidance, in the event you should find in favor of plaintiff, Mr. Hayes, in accordance with these other instructions.

INSTRUCTION NO. ____

During this trial I permitted you to take notes. Many courts do not permit note-taking by jurors, and a word of caution is in order. There is always a tendency to attach undue importance to matters which one has written down. Some testimony which is considered unimportant at the time presented, and thus not written down, takes on greater importance later in the trial in light of all the evidence presented. Therefore, you are instructed that your notes are only a tool to aid your own individual memory and you should not compare your notes with other jurors in determining the content of any testimony or in evaluating the importance of any evidence. Your notes are not evidence, and are by no means a complete outline of the proceedings or a list of the highlights of the trial. Above all, your memory should be your greatest asset when it comes time to deliberate and render a decision in this case.

If you did take notes, you must leave your notes in the jury room after your verdict has been returned.

INSTRUCTION NO. ____

It is necessary from this time until you are discharged to remain together in a group and in the charge of the Bailiff. You are not, during your deliberations, to talk with anyone, other than your fellow jurors and the Bailiff. Make known to (him)(her) any of your wants, and if you wish to communicate with me place your questions in writing and the Bailiff will contact me if necessary.

When you go to the jury room, elect one of your number as foreperson. It is the duty of the foreperson to see that your discussions are orderly and that each juror has the opportunity to discuss and vote on each matter before you. The authority of the foreperson is otherwise the same as that of any other juror.

These Instructions are all in writing and I will send them to the jury room for your use in your deliberations upon your verdict. You will also be permitted to take the exhibits with you for your use in your deliberations. When you have arrived at your verdict, have the foreperson sign and date it and notify the Bailiff in whose charge you have been placed.

INSTRUCTION NO. ____

I do not anticipate that you will need to communicate with me. If you do, however, the only proper way is in writing, signed by the foreperson, or if he or she is unwilling to do so, by some other juror, and given to the Bailiff who will then communicate with me.

INSTRUCTION NO. ____

A Special Interrogatory Form has been prepared for you.

(Special Interrogatory Form read).

Take this form to the jury room and, when you have reached unanimous agreement on the verdict, your foreperson will fill in the appropriate spaces, date and sign the form, and return it with you into open Court.

You must also fill out a Verdict Form as instructed in the Special Verdict Form.

(Verdict Forms read)

Your foreperson will fill out the appropriate spaces, date and sign the form, and return it with you into open court.

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION

PHILLIP HAYES,)
Plaintiff,)
)
vs.) 1:08-cv-0006-LJM-DML
)
C. MAYER, F. VANEK, and C. ANDERSON,)
Defendants.)

SPECIAL INTERROGATORY FORM

Please complete all the questions that are applicable.

We, the Jury in the above entitled action, find the following:

1. Did Defendant, Officer Christopher Maher, violate Plaintiff's, Phillip Hayes, Fourth Amendment right to be free from unreasonable seizures?

YES ____

NO ____

If you answered no, stop. Sign and date Verdict Form A. If you answered yes, proceed to the next question.

2. Did Plaintiff, Phillip Hayes, prove by a preponderance of the evidence that he suffered damages as a proximate result of Officer Christopher Maher's actions?

YES ____

NO ____

If you answered no, stop. Sign and date Verdict Form A. If you answered yes, proceed to the next question.

3. You have found that Defendant, Officer Christopher Maher, is liable under Plaintiff's, Phillip Hayes, federal claim and that Plaintiff, Phillip Hayes, suffered damages as a result. You should now determine the amount of compensatory damages to which Plaintiff, Phillip Hayes, is entitled from Defendant, Officer Christopher Maher. Enter the amount here and on Verdict Form B. Sign and date Verdict Form B.

If appropriate, enter amount \$ _____.

4. You may now determine the amount of punitive damages, if any, to which the Plaintiff,

Phillip Hayes, is entitled from the Defendant, Officer Christopher Maher. Enter the amount here and on Verdict Form B. Sign and date Verdict Form B.

If appropriate, enter amount \$ _____.

5. Did Defendant, Officer Frank Vanek, violate Plaintiff's, Phillip Hayes, Fourth Amendment right to be free from unreasonable seizures?

YES ____

NO ____

If you answered no, stop. Sign and date Verdict Form C. If you answered yes, proceed to the next question.

6. Did Plaintiff, Phillip Hayes, prove by a preponderance of the evidence that he suffered damages as a proximate result of Officer Frank Vanek's actions?

YES ____

NO ____

If you answered no, stop. Sign and date Verdict Form C. If you answered yes, proceed to the next question.

7. You have found that Defendant, Officer Frank Vanek, is liable under Plaintiff's, Phillip Hayes, federal claim and that Plaintiff, Phillip Hayes, suffered damages as a result. You should now determine the amount of compensatory damages to which Plaintiff, Phillip Hayes, is entitled from Defendant, Officer Frank Vanek. Enter the amount here and on Verdict Form D. Sign and date Verdict Form D.

If appropriate, enter amount \$ _____.

8. You may now determine the amount of punitive damages, if any, to which the Plaintiff, Phillip Hayes, is entitled from the Defendant, Officer Frank Vanek. Enter the amount here and on Verdict Form D. Sign and date Verdict Form D.

If appropriate, enter amount \$ _____.

9. Did Defendant, Officer Craig Anderson, violate Plaintiff's, Phillip Hayes, Fourth Amendment right to be free from unreasonable seizures?

YES ____

NO ____

If you answered no, stop. Sign and date Verdict Form E. If you answered yes, proceed to the next question.

10. Did Plaintiff, Phillip Hayes, prove by a preponderance of the evidence that he suffered damages as a proximate result of Officer Craig Anderson's actions?

YES _____

NO _____

If you answered no, stop. Sign and date Verdict Form E. If you answered yes, proceed to the next question.

11. You have found that Defendant, Officer Craig Anderson, is liable under Plaintiff's, Phillip Hayes, federal claim and that Plaintiff, Phillip Hayes, suffered damages as a result. You should now determine the amount of compensatory damages to which Plaintiff, Phillip Hayes, is entitled from Defendant, Officer Craig Anderson. Enter the amount here and on Verdict Form F. Sign and date Verdict Form F

If appropriate, enter amount \$ _____.

12. You may now determine the amount of punitive damages, if any, to which the Plaintiff, Phillip Hayes, is entitled from the Defendant, Officer Craig Anderson. Enter the amount here and on Verdict Form F. Sign and date Verdict Form F.

If appropriate, enter amount \$ _____.

FOREPERSON

DATE: _____

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION

PHILLIP HAYES,
Plaintiff,

vs.

C. MAYER, F. VANEK, and C. ANDERSON,
Defendants.

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1:08-cv-0006-LJM-DML

VERDICT FORM A

We, the Jury in the above entitled action, find for the Defendant, Officer Christopher
Maher, and against the Plaintiff, Phillip Hayes.

FOREPERSON

DATE _____

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION

PHILLIP HAYES,)
Plaintiff,)
)
vs.) 1:08-cv-0006-LJM-DML
)
C. MAYER, F. VANEK, and C. ANDERSON,)
Defendants.)

VERDICT FORM B

We, the Jury in the above entitled action, find for the Plaintiff, Phillip Hayes, and against the Defendant, Officer Christopher Maher. We, the Jury, award the Plaintiff, Phillip Hayes, compensatory damages in the sum of \$_____, and punitive damages in the sum of \$_____.

FOREPERSON

DATE _____

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION

PHILLIP HAYES,
Plaintiff,

vs.

C. MAYER, F. VANEK, and C. ANDERSON,
Defendants.

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1:08-cv-0006-LJM-DML

VERDICT FORM C

We, the Jury in the above entitled action, find for the Defendant, Officer Frank Vanek,
and against the Plaintiff, Phillip Hayes.

FOREPERSON

DATE _____

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION

PHILLIP HAYES,)
Plaintiff,)
)
vs.) 1:08-cv-0006-LJM-DML
)
C. MAYER, F. VANEK, and C. ANDERSON,)
Defendants.)

VERDICT FORM D

We, the Jury in the above entitled action, find for the Plaintiff, Phillip Hayes, and against the Defendant, Officer Frank Vanek. We, the Jury, award the Plaintiff, Phillip Hayes, compensatory damages in the sum of \$_____, and punitive damages in the sum of \$_____.

FOREPERSON

DATE _____

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION

PHILLIP HAYES,
Plaintiff,

vs.

C. MAYER, F. VANEK, and C. ANDERSON,
Defendants.

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1:08-cv-0006-LJM-DML

VERDICT FORM E

We, the Jury in the above entitled action, find for the Defendant, Officer Craig Anderson, and against the Plaintiff, Phillip Hayes.

FOREPERSON

DATE _____

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION

PHILLIP HAYES,
Plaintiff,

vs.

C. MAYER, F. VANEK, and C. ANDERSON,
Defendants.

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1:08-cv-0006-LJM-DML

VERDICT FORM F

We, the Jury in the above entitled action, find for the Plaintiff, Phillip Hayes, and against the Defendant, Officer Craig Anderson. We, the Jury, award the Plaintiff, Phillip Hayes, compensatory damages in the sum of \$_____, and punitive damages in the sum of \$_____.

FOREPERSON

DATE _____