

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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ADRIAN SCHOOLCRAFT,

Plaintiff,

-against-

10 CIV 6005 (RWS)

THE CITY OF NEW YORK, DEPUTY CHIEF MICHAEL MARINO, Tax *Id.* 873220, Individually and in his Official Capacity, ASSISTANT CHIEF PATROL BOROUGH BROOKLYN NORTH GERALD NELSON, Tax *Id.* 912370, Individually and in his Official Capacity, DEPUTY INSPECTOR STEVEN MAURIELLO, Tax *Id.* 895117, Individually and in his Official Capacity CAPTAIN THEODORE LAUTERBORN, Tax *Id.* 897840, Individually and in his Official Capacity, LIEUTENANT JOSEPH GOFF, Tax *Id.* 894025, Individually and in his Official Capacity, SGT. FREDERICK SAWYER, Shield No. 2576, Individually and in his Official Capacity, SERGEANT KURT DUNCAN, Shield No. 2483, Individually and in his Official Capacity, LIEUTENANT CHRISTOPHER BROSCART, Tax *Id.* 915354, Individually and in his Official Capacity, LIEUTENANT TIMOTHY CAUGHEY, Tax *Id.* 885374, Individually and in his Official Capacity, SERGEANT SHANTEL JAMES, Shield No. 3004, AND P.O.'s "JOHN DOE" #1-50, Individually and in their Official Capacity (the name John Doe being fictitious, as the true names are presently unknown) (collectively referred to as "NYPD defendants"), JAMAICA HOSPITAL MEDICAL CENTER, DR. ISAK ISAKOV, Individually and in his Official Capacity, DR. LILIAN ALDANA-BERNIER, Individually and in her Official Capacity and JAMAICA HOSPITAL MEDICAL CENTER EMPLOYEE'S "JOHN DOE" # 1-50, Individually and in their Official Capacity (the name John Doe being fictitious, as the true names are presently unknown),

Defendants.

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**VOIR DIRE QUESTIONS REQUESTED BY
DEFENDANT DR. LILIAN ALDANA-BERNIER**

1. Where do you currently live? For how long? Where did you live before?
2. What is your age and highest level of Education?
3. Are you employed? What do you do? For how long?

4. What is your marital Status? What does your spouse do for a living?
5. Do you have any children? If they are adults, are they employed?
6. What are your hobbies? What movies do you like to watch? What books do you like to read?
7. Have you or any family member or close friend ever filed a claim or lawsuit of any kind? If so, please describe the circumstances.
8. Has anyone ever filed a claim or a lawsuit against you or a member of your family or a close friend? If so, please describe the circumstances
9. Have you or a family member or close friend ever commenced a lawsuit against a physician, hospital or medical professional? If so, please describe the circumstances.
10. Have you or a family member or close friend ever thought about bringing a lawsuit against a physician, hospital or medical professional? If so, please describe the circumstances
11. Have you or close friends or relatives had a bad experience with a physician, mental health provider, or a hospital? If so, would that experience affect your judgment if you sit as a juror in this case?
12. Do you harbor any ill feelings towards physicians, hospitals or the medical profession?
13. Are you familiar with Jamaica Hospital? How so?
14. What is your view of psychiatry or psychiatrists? Do you think that your views with influence your decision in this case?
15. Have you, any close relatives or friends ever received treatment for a mental health or psychiatric condition? If so, please describe the circumstances.
16. Have you, any close relatives or friends ever developed a psychiatric condition? If so, please describe the circumstances.
17. Have you, any close relatives, or friends ever been involuntarily committed to a hospital or mental institution? If so, please describe the circumstances.

18. Have you ever heard of the condition of Post Traumatic Stress Disorder (PTSD)? If so, how did you hear about it? Can you put aside any knowledge you have gained about this condition and base your decision solely on the evidence in this case?
19. Have you ever heard of the condition of Psychosis? If so, how did you hear about it? Can you put aside any knowledge you have gained about this condition and base your decision solely on the evidence in this case?
20. Have you ever heard of the conditions of Delusion or Paranoia? If so, how did you hear about them? Can you put aside any knowledge you have gained about these conditions and base your decision solely on the evidence in this case?
21. Do you feel that your natural sympathy for a man who is claiming a wrong has been committed against him could interfere with your fair and impartial appraisal of the evidence as to each defendant in this case?
22. If the law and evidence warranted, would you be able to render a verdict in favor of the plaintiff or defendant regardless of any sympathy you may have for either party?
23. Regardless of the plaintiff's present or past condition, if the law and evidence warranted, could you render a verdict in favor of the defendant and not award money damages to the plaintiff, even if you felt sympathy for him?
24. Can you accept the law about medical malpractice as I will explain it to you and apply it to the facts regardless of your personal beliefs about what the law is or should be?
25. There will be evidence in this case from what the law calls expert witnesses. At times, they will be asked to assume certain facts. Can I have your assurance that you will keep in mind that you are the sole triers of the facts and will not automatically conclude that a fact has been proven simply because an expert has been asked to assume that fact?
26. Even though this is a medical malpractice case involving psychiatric care and treatment, there will be evidence about the NYPD and police policy and procedures. Do you have any family members or close friends who are members of the NYPD or are police officers in another jurisdiction?

27. Have you or any family members or friends had a bad experience with the NYPD or police in other jurisdictions that would affect your ability to be a fair juror in this case?
28. Have you heard of this case? Have you heard of Adrian Schoolcraft or any of the other parties or attorneys? If so, please describe the source of your information?
29. Have you read any articles about this case, either in the newspapers or any electronic or social media accounts of it? Have you seen any coverage on television or documentaries portraying the events of this case? Can you set aside anything you have read or heard about this case and the parties and decide this case solely on the evidence you hear during the trial?
30. If selected as a juror in this case, do you agree that you will not read any past or current reports or articles in the media about this case?
31. Where do you get your news from? Read the paper? Which paper(s)? Read the internet? Which websites?
32. Would your verdict in this case be influenced in any way by any factors other than the evidence in the courtroom, such as friendships or family relationships or the type of work that you do?
33. Based on what I have told you, is there anything about this case or the nature of the claim itself that would interfere with your ability to be fair and impartial and to apply the law as instructed by the Court?

Dated: New York, New York
October 28, 2015

Respectfully submitted,


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