

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO

Case No. \_\_\_\_\_-CMA

\_\_\_\_\_,

Plaintiff,

v.

\_\_\_\_\_,

Defendant.

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**SPECIAL VERDICT FORM**

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We, the jury, present our Answers to Questions submitted by the Court, to which we have unanimously agreed:

**Question No. 1:** Did Plaintiff prove, by a preponderance of the evidence, the three elements of Claim 1 – Disability Discrimination as set forth in Instruction No. 15?

\_\_\_\_\_ Yes                      \_\_\_\_\_ No

**Question No. 2:** Did Plaintiff prove, by a preponderance of the evidence, the four elements of Claim 2 – Retaliation as set forth in Instruction No. 16?

\_\_\_\_\_ Yes                      \_\_\_\_\_ No

If you answered “No” to both Questions 1 and 2, skip Questions No. 3, 4, 5, 6, 7 and 8, and sign the verdict form. If you answered “Yes” to either or both Questions 1 and 2, proceed to Question 3.

**Question No. 3:** Did Defendant prove, by a preponderance of the evidence, both elements of its affirmative defense that Plaintiff's employment in the position of \_\_\_\_\_ posed a direct threat to himself or other employees as set forth in Instruction No. 19?

\_\_\_\_\_ Yes                  \_\_\_\_\_ No

If you answered "Yes" to Question No. 3, skip Questions No. 4, 5, 6, 7 and 8, and sign the verdict form. If you answered "No" to Question No. 3, proceed to Questions 4–8.

**Question No. 4:** Based on Instructions 23 and 24, what is the amount of economic damages and damages for emotional pain and mental anguish incurred as a result of Defendant's discrimination and/or retaliation?

Back Pay:    \$ \_\_\_\_\_

Emotional Pain and Mental Anguish Damages:    \$ \_\_\_\_\_

**Question No. 5:** Did Defendant prove, by a preponderance of the evidence, that Plaintiff failed to make reasonable efforts to reduce his damages for loss of back pay?

\_\_\_\_\_ Yes                  \_\_\_\_\_ No

If you answered "Yes" to Question No. 5, then proceed to Question No. 6. If you answered "No" to Question No. 5, then skip Question No. 6 and proceed to Question No. 7.

**Question No. 6:** By what amount do you reduce Plaintiff's back pay?

\$ \_\_\_\_\_

**Question No. 7:** Is Plaintiff entitled to recover punitive damages from Defendant as set forth in Instruction No. 26?

\_\_\_\_\_ Yes                  \_\_\_\_\_ No

If you answered "Yes" to Question No. 7, proceed to Question No. 8. If you answered "No" to Question No. 7, skip Question No. 8 and sign the Verdict Form.

**Question No. 8:** What is the amount of punitive damages that you award to Plaintiff?

\$ \_\_\_\_\_

**Please sign and date this Verdict Form on the lines provided below.**

\_\_\_\_\_

Date

\_\_\_\_\_

Foreperson