

**FILED**

JUN 12 2014

CLERK, U.S. DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA  
BY  DEPUTY CLERK

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA**

**EUGENE FORTE,**

**Plaintiff**

**v.**

**TOMMY JONES,**

**Defendant.**

**CASE NO. 1:11-CV-0718 AWI-BAM**

**VERDICT FORM**

We, the jury, unanimously find the following verdict on the questions submitted to us:

**Question 1A:** Did defendant Tommy Jones take action against plaintiff Eugene Forte to cause Plaintiff's microphone to go off during the period when Plaintiff was speaking?

**YES**                       **NO**

**Question 1B:** Was Plaintiff's protected speech a substantial or motivating factor in causing Plaintiff's microphone to go off?

**YES**                       **NO**

**(continue to the next page)**

1 **Question 2A:** Did defendant Tommy Jones take action against plaintiff Eugene Forte by causing  
2 Plaintiff to be removed from the city council meeting chambers by Police Chief Gallagher?

3  
4  **YES**                       **NO**

5  
6 **Question 2B:** Was Plaintiff's protected speech a substantial or motivating factor in causing  
7 Plaintiff to be removed from the city council meeting chambers by Police Chief Gallagher?

8  
9  **YES**                       **NO**

10  
11 If the answer to EITHER Question 1A or Question 1B is "NO," AND the answer to EITHER  
12 question 2A or 2B is "NO," skip the following questions and the foreperson shall sign and date  
13 this form in the space provided below.

14  
15 If you answered "**YES**" to **BOTH** questions 1A and 1B, OR you answered "**YES**" to both  
16 questions 2A and 2B, proceed to answer the following questions.

17  
18 **Question 3:** Did plaintiff Eugene Forte suffer actual damages as a result of the actions of  
19 defendant Tommy Jones?

20  
21  **YES**                       **NO**

22  
23 If you answered "**YES**" to question 3, enter the total amount of actual damages in the space  
24 provided below. If you find that Eugene Forte did not suffer actual damages enter the amount of  
25 nominal damages in the space below.

26  
27  
28 **(continue to next page)**

1  
2 AMOUNT OF DAMAGES: \$ \$10,000.00

3 -- OR --

4 AMOUNT OF NOMINAL DAMAGES \$ \_\_\_\_\_ (Not more than \$1)

5  
6 **Question 4:** Was the conduct of Defendant Tommy Jones malicious, oppressive or in reckless  
7 disregard of the rights of Plaintiff Eugene Forte such that punitive damages are appropriate?

8  
9   ✓   YES                                 NO

10  
11  
12   Karen Mungen    
13  
14 Signature of foreperson

15  
16   6/11/14    
17  
18 Date