

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

TROY M. HURD,

Plaintiff,

vs.

THE CITY OF LINCOLN,

Defendant.

FILED
U.S. DISTRICT COURT
DISTRICT OF NEBRASKA

2019 FEB 19 PM 2:56

OFFICE OF THE CLERK
4:16CV3029

VERDICT FORM

Question 1: On Plaintiff Troy Hurd's state retaliation claim, as submitted in Instruction

No. 7, we find in favor of: Plaintiff Troy Hurd
[Plaintiff Troy Hurd or Defendant City of Lincoln]

If you find in favor of Plaintiff Troy Hurd on Question 1, answer Question 2. If you find in favor of Defendant City of Lincoln on Question 1, you must find in favor of Defendant City of Lincoln on Question 3; skip Question 2 and Question 4; and sign, date, and return this verdict form to the Court.

Question 2: Has the City of Lincoln proved that it would have imposed the materially adverse employment action or decision regardless of Hurd's protected activity?

Yes

No X

[Mark an "X" in the appropriate space]

If your answer to Question 2 is "yes", you must find in favor of Defendant City of Lincoln on Question 3; skip Question 4; and sign, date, and return this verdict form to the Court. If your answer to Question 2 is "no", then you must proceed to consider Question 3 and Question 4.

Question 3: On Plaintiff Troy Hurd's federal retaliation claim, as submitted in Instruction No. 9, we find in favor of: Plaintiff Troy Hurd
[Plaintiff Troy Hurd or Defendant City of Lincoln]

If you find in favor of Plaintiff Troy Hurd on Question 3, answer Question 4. If you find in favor of Defendant City of Lincoln on Question 3, but you find in favor of Plaintiff Troy Hurd on Question 1 and the answer to Question 2 is "no", then answer Question 4.

Question 4: We find Plaintiff Troy Hurd's lost wages through the date of this verdict to be: \$ 44,624.89.

We find Plaintiff Troy Hurd's other damages, excluding lost wages through the date of this verdict, to be:

Past medical expenses: \$ 116,465.20.

Future medical expenses: \$ 19,753.22.

Past emotional distress: \$ 166,500.00.

Future emotional distress: \$ 930,472.12.

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2-19-19
Date