

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION

| | | |
|----------------|---|--------------------------------|
| SEDRIC WARD, |) | |
| |) | |
| Plaintiff, |) | |
| |) | Case No. 2:20-cv-02407-JPM-cgc |
| v. |) | |
| |) | |
| SHELBY COUNTY, |) | |
| |) | |
| Defendant. |) | |

VERDICT FORM

We, the jury, unanimously answer the questions submitted by the Court as follows:

1. Did Plaintiff suffer any adverse employment action?

Answer: Yes _____ or No _____

(Plaintiff has the burden of proof.) **If your answer is “no,” sign the jury verdict form and return to the Court. If your answer is “yes,” proceed to question number 2.**

2. Was Plaintiff’s military service a motivating factor in any adverse employment action?

Answer: Yes _____ or No _____

(Plaintiff has the burden of proof.) **If your answer is “no,” sign the jury verdict form and return to the Court. If your answer is “yes,” proceed to question number 3.**

3. Did Defendant prove it would have taken the same action anyway against Plaintiff regardless of his military service?

Answer: Yes _____ or No _____

(Defendant has the burden of proof.) **If your answer is “yes,” sign the jury verdict form and return to the Court. If your answer is “no,” proceed to question number 4.**

4. Did Defendant’s actions toward Plaintiff rise to the level of a willful USERRA violation as that term is defined in the instructions.?

Answer: Yes _____ or No _____

(Plaintiff has the burden of proof.) **Please proceed to question 5 regardless of answer.**

5. Decide the total amount of damages sustained by the Plaintiff, reduced by any amount of damages you find the Plaintiff failed to mitigate. What amount of damages, if any, do you find were sustained by the Plaintiff, Sedric Ward? (Burden of proof is on the Plaintiff.)

Damages:

| | |
|----------------------------|----------|
| Lost wages and benefits: | \$ _____ |
| Minus unmitigated damages: | \$ _____ |

Total: \$ _____

6. Do you find that the Plaintiff would have earned future compensation (that is, compensation after June 15, 2021) but for Defendant’s USERRA violations?

Answer: Yes _____ or No _____

(Plaintiff has burden of proof.) **If your answer is “yes,” please proceed to question 7.**

7. For what period beginning June 15, 2021 and in what amount do you find Plaintiff would be entitled? (Burden of proof is on the Plaintiff):

Time (state your finding in days, months, or years from June 15, 2021): _____

State the amount for each applicable period (i.e. day, month, or year you determined above/this would be a unit determination): \$ _____ per _____ (insert time unit)

SO SAY WE ALL.

JURY FOREPERSON

Dated: _____