

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

SHEILA WHITE,)
)
 Plaintiff,)
)
 v.) No. 99-2733
)
 THE BURLINGTON NORTHERN AND)
 SANTA FE RAILWAY COMPANY,)
)
 Defendant.)

JURY INSTRUCTIONS

Ladies and gentlemen of the jury, we have now come to the second phase of the case when it is my duty to instruct you in the law as it applies to punitive damages. Again, you must follow the law as I state it to you.

In the first phase of this trial you found the defendant The Burlington Northern and Santa Fe Railway Company ("Burlington Northern") liable to the plaintiff for hostile work environment [and] [or] retaliation and awarded her compensatory damages. You, the jury, also agreed that plaintiff had shown by clear and convincing evidence that the defendant Burlington Northern's actions were intentional, reckless, malicious, or fraudulent as evidenced by your answer of "Yes" to Question No. 6 and/or Question No. 7 on the Verdict form.