

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON
PORTLAND DIVISION

ACHCAR-WINKELS et al.

Plaintiffs,

Case No.: 3:15-CV-0385-MO

VERDICT FORM

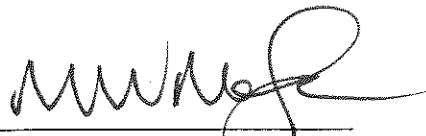
v.

**LAKE OSWEGO SCHOOL
DISTRICT et al.**

Defendants,

VERDICT FORM

DATED: This 30 day of November, 2017.


MICHAEL W. MOSMAN
Chief United States District Judge

We, the jury, being duly empaneled and sworn in the above-entitled cause, do find as follows.

I. NEGLIGENCE CLAIMS

a. Negligence Claims of Ray and Taissa Achcar-Winkels against Lake Oswego School District and Suzanne Young

1a. Were defendants Lake Oswego School District and Suzanne Young negligent in one or more of the ways alleged by plaintiffs Ray and Taissa Achcar-Winkels?

ANSWER:

Lake Oswego School District

N (Yes or No)

Suzanne Young

N (Yes or No)

If the answer to Question 1a is "yes" as to any defendant, proceed to Question 1b. If the answer to Question 1a is "no" as to all defendants, proceed to Question 7.

1b. If you find Suzanne Young committed negligent acts, were those acts or omissions performed within the scope of her employment, agency, or duties with the Lake Oswego School District?

ANSWER: _____ (Yes or No)

If your answer to Question 1b is "no," do not fill out any further blanks in this section for Suzanne Young.

Proceed to Question 2.

2. If any defendant was negligent, was such negligence a substantial factor in causing harm to plaintiffs Ray and Taissa Achcar-Winkels?

ANSWER:

Lake Oswego School District

_____ (Yes or No)

Suzanne Young

~~Yes~~ CN (Yes or No)

If the answer to Question 2 is "yes" as to any defendant, proceed to Question 3. If the answer to Question 2 is "no" as to all defendants, proceed to Question 7.

3. Were plaintiffs Ray and Taissa Achcar-Winkels negligent in one or more of the ways alleged by defendants Lake Oswego School District and Suzanne Young?

ANSWER: Y ^{CW} (Yes or No)

If the answer to Question 3 is "yes," proceed to Question 4. If the answer to Question 3 is "no," proceed to Question 5.

4. Was plaintiffs Ray and Taissa Achcar-Winkels' negligence a substantial factor in causing harm to plaintiffs Ray and Taissa Achcar-Winkels?

ANSWER: X ^{CW} (Yes or No)

If the answer to Question 4 is "yes," proceed to Question 5. If the answer to Question 4 is "no," proceed to Question 6.

5. What is the percentage of each of the parties' negligence that caused damage to Ray and Taissa Achcar-Winkels?

ANSWER:	Lake Oswego School District	_____ %
	Suzanne Young	_____ %
	Ray and Taissa Achcar-Winkels	_____ %

(The percentages must total 100%.)

If Ray and Taissa Achcar-Winkels' percentage is greater than 50%, proceed to Question 7. If not, proceed to Question 6.

6. What are plaintiffs Ray and Taissa Achcar-Winkels' damages?

ANSWER:	Economic Damages	\$ _____
	Non-economic Damages	\$ _____

Do not reduce the damages by the plaintiffs' percentage of negligence, if any, because the court will do this when entering judgment.

Proceed to Question 7.

b. Negligence Claim of Sabrina Achcar-Winkels against Lake Oswego School District, Heather Beck, Jennifer Schiele, Ian Lamont, Kayla Nordlum, Ashley Nordlum, and Suzanne Young.

7a. Were defendants negligent in one or more of the ways alleged by plaintiff Sabrina Achcar-Winkels?

ANSWER:

Lake Oswego School District	<u>Y</u> (Yes or No)
Heather Beck	<u>N</u> (Yes or No)
Jennifer Schiele	<u>Y</u> (Yes or No)
Ian Lamont	<u>N</u> (Yes or No)
Kayla Nordlum	<u>N</u> (Yes or No)
Suzanne Young	<u>N</u> (Yes or No)

If the answer to Question 7a is "yes" as to any defendant, proceed to Question 7b. If the answer to Question 7a is "no" as to all defendants, proceed to Question 10.

7b. If you find Suzanne Young committed negligent acts, were those acts or omissions performed within the scope of her employment, agency, or duties with the Lake Oswego School District?

ANSWER: ~~Y~~ CN (Yes or No)

If your answer to Question 7b is "no," do not fill out any further blanks in this section for Suzanne Young.

Proceed to Question 8.

8. If any defendant was negligent, was such negligence a substantial factor in causing harm to plaintiff Sabrina Achcar-Winkels?

ANSWER:

Lake Oswego School District	<u>Y</u> (Yes or No)
Heather Beck	<u>N</u> (Yes or No)
Jennifer Schiele	<u>Y</u> (Yes or No)
Ian Lamont	<u>N</u> (Yes or No)
Kayla Nordlum	<u>N</u> (Yes or No)
Suzanne Young	<u>N</u> (Yes or No)

If the answers to Question 8 are "yes" as to any defendant, proceed to Question 9. If the answers to Question 8 are "no" as to all defendants, proceed to Question 10.

9a. What are the percentages of each of the parties' negligence that caused damage to Sabrina Achcar-Winkels?

ANSWER:	Lake Oswego School District	<u>80</u> %
	Heather Beck	_____ %
	Jennifer Schiele	<u>20</u> %
	Ian Lamont	_____ %
	Kayla Nordlum	_____ %
	Suzanne Young	_____ %

(The percentages must total 100%.)

9b. What are Sabrina Achcar-Winkels' damages?

ANSWER:	Economic Damages	\$ <u>0</u>
	Non-economic Damages	\$ <u>\$70,000</u>

II. PLAINTIFF SABRINA ACHCAR-WINKELS'S CLAIM FOR VIOLATION OF HER FIRST AMENDMENT RIGHTS

10. Did Kayla Nordlum violate plaintiff Sabrina Achcar-Winkels's rights under the First Amendment of the United States Constitution?

ANSWER: N (Yes or No)

If your answer to Question 10 is "yes," proceed to Question 11. If your answer to Question 10 is "no," proceed to Question 12.

11. What damages, if any, were sustained by plaintiff Sabrina Achcar-Winkels as a result of defendant Kayla Nordlum's First Amendment violations?

ANSWER: \$ 0

Proceed to Question 12.

III. PLAINTIFF SABRINA ACHCAR-WINKELS'S CLAIM FOR INTENTIONAL INFLECTION OF EMOTIONAL DISTRESS

12a. Did defendant Kayla Nordlum intentionally cause plaintiff Sabrina Achcar-Winkels severe emotional distress?

ANSWER: N (Yes or No)

If your answer to Question 12a is "yes," proceed to Question 12b. If your answer to Question 12a is "no," proceed to Question 14.

12b. If you find Kayla Nordlum intentionally caused plaintiffs Sabrina Achcar-Winkels severe emotional distress, were Kayla Nordlum's acts or omissions performed within the scope of her employment, agency, or duties with the Lake Oswego School District?

ANSWER: _____ (Yes or No)

Proceed to Question 13.

13. What damages were sustained by plaintiff Sabrina Achcar-Winkels as a result of defendant Kayla Nordlum's intentional infliction of severe emotional distress?

ANSWER: \$ _____

Proceed to Question 14.

IV. PLAINTIFF SABRINA ACHCAR-WINKELS'S CLAIM FOR FALSE IMPRISONMENT

14a. Did defendant Kayla Nordlum intentionally and unlawfully restrain plaintiff Sabrina Achcar-Winkels's freedom of movement?

ANSWER: N (Yes or No)

If your answer to Question 14a is "yes," proceed to Question 14b. If your answer to Question 14a is "no," proceed to Question 16.

14b. If you find Kayla Nordlum intentionally and unlawfully restrained Sabrina Achcar-Winkels, were Kayla Nordlum's acts or omissions performed within the scope of her employment, agency, or duties with the Lake Oswego School District?

ANSWER: _____ (Yes or No)

Proceed to Question 15.

15. Did Sabrina Achcar-Winkels consent to any confinement?

ANSWER: _____ (Yes or No)

If your answer to Question 15 is "yes," proceed to Question 16. If your answer to Question 15 is "no," proceed to Question 17.

16. What are Sabrina Achcar-Winkels's damages as a result of defendant Kayla Nordlum's intentionally and unlawfully restraining of Sabrina Achcar-Winkels?

ANSWER: \$ 0

Proceed to Question 17.

V. PLAINTIFF SABRINA ACHCAR-WINKELS'S CLAIM FOR PUNITIVE DAMAGES

17a. Regarding plaintiff Sabrina Achcar-Winkels's First Amendment claim against Kayla Nordlum, did Kayla Nordlum engage in conduct that harmed plaintiff Sabrina Achcar-Winkels that was malicious, oppressive or in reckless disregard of Sabrina Achcar-Winkels's rights?

ANSWER: NO (Yes or No)

If your answer to Question 17a is "yes," proceed to Question 17b. If your answer to Question 17a is "no," proceed to Question 18.

17b. What amount of punitive damages do you award to plaintiff Sabrina Achcar-Winkels, if any, for her First Amendment claim against Kayla Nordlum?

ANSWER: \$ 0

Proceed to Question 18.

If your answer to Question 12b was "yes," proceed to Question 19.

18a. Regarding plaintiff Sabrina Achcar-Winkels's claim for intentional infliction of emotional distress against Kayla Nordlum, has Kayla Nordlum shown a reckless and outrageous indifference to a highly unreasonable risk of harm and acted with a conscious indifference to the health, safety, and welfare of others, and /or (2) acted with malice?

ANSWER: N (Yes or No)

If your answer to Question 18a is "yes," proceed to Question 18b. If your answer to Question 18a is "no," proceed to Question 19.

18b. What amount of punitive damages do you award to plaintiff Sabrina Achcar-Winkels, if any, for her claim for intentional infliction of emotional distress against Kayla Nordlum?

ANSWER: \$ 0

Proceed to Question 19.

If your answer to question 14b was "yes," your deliberations are now complete. Please have the presiding juror sign and date the verdict form and return it to the clerk.

19a. Regarding plaintiff Sabrina Achcar-Winkels's claim for false imprisonment against Kayla Nordlum, has Kayla Nordlum shown a reckless and outrageous indifference to a highly unreasonable risk of harm and acted with a conscious indifference to the health, safety, and welfare of others, and /or (2) acted with malice?

ANSWER: _____ (Yes or No)

If your answer to Question 19a is "yes," proceed to Question 19b. If your answer to Question 19a is "no," your deliberations are now complete. Please have the presiding juror sign and date the verdict form and return it to the clerk.

19b. What amount of punitive damages do you award to plaintiff Sabrina Achcar-Winkels, if any, for her claim for false imprisonment against Kayla Nordlum?

ANSWER: \$ _____

Your deliberations are now complete. Please have the presiding juror sign and date the verdict form and return it to the clerk.

SIGNED: _____
PRESIDING JUROR

DATE: 11-3-17