

IN THE IOWA DISTRICT COURT IN AND FOR JASPER COUNTY

PAUL PADILLA, :
 :
Plaintiff, : No. LACV123816
 :
v. : VERDICT
 :
RANDY RAY, :
 :
Defendant. : _ : _

Question No. 1: Did Plaintiff Padilla prove his claim of intentional infliction of severe emotional distress by Defendant Ray?

Answer: yes ("yes" or "no")

[If your Answer is "yes", go to Question 2. If your Answer is "no", do not answer Question 2 or Question 9 instead go to Question 3]

Question No. 2: Was Defendant Ray's intentional infliction of severe emotional distress a proximate cause of damages to Plaintiff Padilla?

Answer: no ("yes" or "no")

[If your answer is "yes", also Answer Question 9. If your Answer is "no," do not answer Question 9. Go to question 3]

Question No. 3: Did the Plaintiff Padilla prove his claim of battery by Defendant Ray?

Answer: yes ("yes" or "no")

[If your Answer is "yes", also answer Question 4. If your Answer is "no", do not answer Question 4 or Question 10; instead go to Question 5]

Question No. 4: Was Defendant Ray's battery a proximate cause of damages to Plaintiff Padilla?

Answer: NO ("yes" or "no")

[If your Answer is "yes", also answer Question 10. If your Answer is "no", do not answer Question 10. Go to Question No. 5]

Question No. 5: Did Defendant Ray prove his claim of intentional infliction of severe emotional distress by Plaintiff Padilla?

Answer: YES ("yes" or "no")

[If your Answer is "yes", also answer Question 6. If your Answer is "no", do not answer Question 6 or Question 11; instead go to Question 7]

Question No. 6: Was Plaintiff Padilla's intentional infliction of severe emotional distress a proximate cause of damages to Defendant Ray?

Answer: NO ("yes" or "no")

[If your Answer is "yes", also answer Question 11. If your Answer is "no", do not answer Question 11. Go to Question No. 7]

Question No. 7: Did Defendant Ray prove his claim of abuse of process against Plaintiff Padilla?

Answer: YES ("yes" or "no")

[If your Answer is "yes", also answer Question 8. If your Answer is "no", do not answer Question 8 or Question; instead go to Question 8]

Question No. 8: Was Plaintiff Padilla's abuse of process a proximate cause of damages to Defendant Ray?

Answer: YES ("yes" or "no")

[If your Answer is "yes", also answer Question 12. If your Answer is "no", do not answer Question 12. Go to Question No. 7]

Damages

In assessing damages pursuant to the following question(s), do not duplicate damages for one cause of action if you award those same damages for another cause of action.

~~**Question No. 9:**~~ If you answered Questions 1 and 2 "yes," what amount of damages, if any, do you find were proximately caused by the Defendant Ray's intentional infliction of severe emotional distress on Plaintiff Padilla?

Past Mental Pain and Suffering	\$ _____
Future Mental Pain and Suffering	\$ _____
Past Loss of Function of Mind and Body	\$ _____
Future Loss of Function of Mind and Body	\$ _____
Total	\$ _____

~~**Question No. 10:**~~ If you answered Questions 3 and 4 "yes," what amount of damages, if any, do you find were proximately caused by Defendant Ray's battery on Plaintiff Padilla (do not duplicate damages already awarded in response to Question No. 9)?

Past Mental Pain and Suffering	\$ _____
Future Mental Pain and Suffering	\$ _____
Past Loss of Function of Mind and Body	\$ _____
Future Loss of Function of Mind and Body	\$ _____
Total	\$ _____

~~**Question No. 11:**~~ If you answered Questions 5 and 6 "yes," what amount of damages, if any, do you find were proximately caused by Plaintiff Padilla's intentional infliction of severe emotional distress on Defendant Ray?

Past Mental Pain and Suffering	\$ _____
Future Mental Pain and Suffering	\$ _____

Question No. 12: If you answered Questions 7 and 8 "yes," what amount of damages, if any, do you find were proximately caused by Plaintiff Padilla's abuse of process against Defendant Ray (do not award damages already awarded in response to Questions 9, 10 and 11)?

Past Mental Pain and Suffering	\$ <u>0</u>
Future Mental Pain and Suffering	\$ <u>0</u>
Out of pocket costs and expenses	\$ <u>145</u>

IF YOU AWARDED DAMAGES PURSUANT TO EITHER QUESTION 9 OR QUESTION 10, ANSWER THE FOLLOWING SPECIAL INTERROGATORY:

Special Interrogatory:

Evidence is clear, convincing and satisfactory if there is no serious or substantial uncertainty about the conclusion to be drawn from it.

Did Plaintiff Padilla prove by a preponderance of clear, convincing and satisfactory evidence that Defendant Ray's conduct constituted a willful and wanton disregard for the rights or safety of the plaintiff and caused actual damage to the plaintiff?

Answer: _____ ("yes" or "no")

IF YOU AWARDED DAMAGES PURSUANT TO EITHER QUESTION 11 OR QUESTION 12, ANSWER THE FOLLOWING SPECIAL INTERROGATORY:

Special Interrogatory:

Evidence is clear, convincing and satisfactory if there is no serious or substantial uncertainty about the conclusion to be drawn from it.

Did Defendant Ray prove by a preponderance of clear, convincing and satisfactory evidence that Plaintiff Padilla's conduct constituted a willful and wanton disregard for the rights or safety of the defendant and caused actual damage to the defendant?

Answer: Yes ("yes" or "no")



FOREMAN or FOREWOMAN *

*To be signed only if verdict is unanimous

Juror**

Juror**

Juror**

Juror**

Juror**

Juror**

Juror**

**To be signed by the jurors agreeing thereto after six hours or more of deliberation.