

Cass (SB)

IN THE IOWA DISTRICT COURT IN AND FOR POLK COUNTY

THEODORE R. WONIO, Individually and
as Parent/Representative of MARJORIE
WONIO and THEODORE WONIO, JR.,
Minor Children, and ANDREA WONIO,
Individually and as Parent/Representative
of MARJORIE WONIO and THEODORE
WONIO, JR., Minor Children,

Plaintiff,

vs.

MARK FUNK and STEVEN FUNK,

Defendant.

CASE NO.: LACV026102

VERDICT FORM
AS TO MARK FUNK

We, the jury, find the following on the questions submitted to us.

QUESTION NO. 1: Did Defendant Mark Funk assault one or more of the Plaintiffs?

Answer "yes" or "no." ANSWER: _____

(If your answer is "yes," proceed to Question No. 2. If your answer is "no" skip to Question No. 4.)

QUESTION NO. 2: Did Defendant Mark Funk's assault of any of the Plaintiffs cause any item of damage to any of the Plaintiffs?

Answer "yes" or "no." ANSWER: _____

(If your answer is "yes," proceed to Question No. 3. If your answer is "no" skip to Question No. 4.)

QUESTION NO. 3: Which of the Plaintiffs suffered damages as a result of Defendant Mark Funk's assault? (Check all that are applicable)

_____ Theodore (Tad) Wonio
_____ Andrea Wonio
_____ Marjorie Wonio
_____ Theodore Wonio Jr.

(Proceed to Question No. 4.)

QUESTION NO. 4: Did Defendant Mark Funk falsely imprison one of more of the Plaintiffs?

Answer "yes" or "no." ANSWER: _____

(If your answer is "yes" proceed to Question 5. If your answer is "no" skip to Question No. 7.)

QUESTION NO. 5: Did Defendant Mark Funk's false imprisonment of any of the Plaintiffs cause any item of damage to any of the Plaintiffs?

Answer "yes" or "no." ANSWER: _____

(If your answer is "yes" proceed to Question No. 6. If your answer is "no" skip to Question No. 7.)

QUESTION NO. 6: Which of the Plaintiffs suffered damages as a result of Defendant Mark Funk's false imprisonment? (Check all that are applicable)

_____ Theodore (Tad) Wonio
_____ Andrea Wonio
_____ Marjorie Wonio
_____ Theodore Wonio Jr.

(Proceed to Question No. 7.)

QUESTION NO. 7: Did Defendant Mark Funk intentionally inflict emotional distress upon one of more of the Plaintiffs?

Answer "yes" or "no." ANSWER: Yes

(If your answer is "yes" proceed to Question No. 8. If your answer is "no" skip to Question No. 10.)

QUESTION NO. 8: Did Defendant Mark Funk's intentional infliction of emotional distress upon any of the Plaintiffs cause any item of damage to any of the Plaintiffs?

Answer "yes" or "no." ANSWER: Yes

(If your answer is "yes" proceed to Question No. 9. If your answer is "no" skip to Question No. 10.)

QUESTION NO. 9: Which of the Plaintiffs suffered damages as a result of Defendant Mark Funk's intentional infliction of emotional distress? (Check all that are applicable)

☐ Theodore (Tad) Wonio
☒ Andrea Wonio
☐ Marjorie Wonio
☐ Theodore Wonio Jr.

(Proceed to Question No. 10.)

QUESTION NO. 10:

If you checked "Theodore (Tad) Wonio" in question 3, 6 or 9, state the amount of damages sustained by Theodore (Tad) Wonio caused by Mark Funk's actions to each of the following items of damage. If the Plaintiffs have failed to prove any item of damage, enter 0 for that item.

Mental Pain and Suffering- Past \$ 0
Mental Pain and Suffering- Future \$ 0

If you checked "Andrea Wonio" in question 3, 6 or 9, state the amount of damages sustained by Andrea Wonio caused by Mark Funk's actions to each of the following items of damage. If the Plaintiffs have failed to prove any item of damage, enter 0 for that item.

Mental Pain and Suffering- Past \$ 3,000
Mental Pain and Suffering- Future \$ 0

If you checked "Marjorie Wonio" in question 3, 6 or 9, state the amount of damages sustained by Marjorie Wonio caused by Mark Funk's actions to each of the following items of damage. If the Plaintiffs have failed to prove any item of damage, enter 0 for that item.

Mental Pain and Suffering- Past \$ 0
Mental Pain and Suffering- Future \$ 0

If you checked "Theodore Wonio Jr." in question 3, 6 or 9, state the amount of damages sustained by Theodore Wonio Jr. caused by Mark Funk's actions to each of the following items of damage. If the Plaintiffs have failed to prove any item of damage, enter 0 for that item.

Mental Pain and Suffering- Past \$ 0
Mental Pain and Suffering- Future \$ 0

(If you awarded any amount of damages for any Plaintiff proceed to Question No. 11. If you did not award any damages to any Plaintiff, do not answer Questions 11, 12 or 13. Proceed to the Verdict Form as to Steven Funk.)

QUESTION NO. 11: Do you find by a preponderance of clear, convincing and satisfactory evidence the conduct of Defendant Mark Funk constituted willful and wanton disregard for the rights or safety of another?

Answer "yes" or "no." ANSWER: _____

(If your answer is "yes," proceed to Question No. 12. If your answer is "no" do not answer Question Nos. 12 or 13, proceed to the Verdict Form as to Steven Funk.)

QUESTION NO. 12: What amount of punitive damages, if any, do you award?

ANSWER: 0

(If any amount is awarded, proceed to Question No. 13. If your answer to Question No. 12 is "none" proceed to the Verdict Form as to Steven Funk.)

QUESTION NO. 13: Was the conduct of the defendant directed specifically at any of the Plaintiffs?

Answer "yes" or "no." ANSWER: _____

(Proceed to the Verdict Form as to Steven Funk.)

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THEODORE R. WONIO, Individually and
as Parent/Representative of MARJORIE
WONIO and THEODORE WONIO, JR.,
Minor Children, and ANDREA WONIO,
Individually and as Parent/Representative
of MARJORIE WONIO and THEODORE
WONIO, JR., Minor Children,

Plaintiff,

vs.

MARK FUNK and STEVEN FUNK,

Defendant.

CASE NO.: LACV026102

**VERDICT FORM
AS TO STEVEN FUNK**

We, the jury, find the following on the questions submitted to us.

QUESTION NO. 1: Did Defendant Steven Funk assault one or more of the Plaintiffs?

Answer "yes" or "no." ANSWER: NO

(If your answer is "yes," proceed to Question No. 2. If your answer is "no" skip to Question No. 4.)

QUESTION NO. 2: Did Defendant Steven Funk's assault of any of the Plaintiffs cause any item of damage to any of the Plaintiffs?

Answer "yes" or "no." ANSWER: NO

(If your answer is "yes," proceed to Question No. 3. If your answer is "no" skip to Question No. 4.)

QUESTION NO. 3: Which of the Plaintiffs suffered damages as a result of Defendant Steven Funk's assault? (Check all that are applicable)

☐ Theodore (Tad) Wonio
☐ Andrea Wonio
☐ Marjorie Wonio
☐ Theodore Wonio Jr.

(Proceed to Question No. 4.)

QUESTION NO. 4: Did Defendant Steven Funk falsely imprison one of more of the Plaintiffs?

Answer "yes" or "no." ANSWER: NO

(If your answer is "yes" proceed to Question 5. If your answer "no," skip to Question No. 7.)

QUESTION NO. 5: Did Defendant Steven Funk's false imprisonment of any of the Plaintiffs cause any item of damage to any of the Plaintiffs?

Answer "yes" or "no." ANSWER: NO

(If your answer is "yes" proceed to Question No. 6. If your answer is "no" skip to Question No. 7.)

QUESTION NO. 6: Which of the Plaintiffs suffered damages as a result of Defendant Steven Funk's false imprisonment? (Check all that are applicable)

☐ Theodore (Tad) Wonio
☐ Andrea Wonio
☐ Marjorie Wonio
☐ Theodore Wonio Jr.

(Proceed to Question No. 7.)

QUESTION NO. 7: Did Defendant Steven Funk intentionally inflict emotional distress upon one of more of the Plaintiffs?

Answer "yes" or "no." ANSWER: NO

(If your answer is "yes" proceed to Question No. 8. If your answer is "no" skip to Question No. 10.)

QUESTION NO. 8: Did Defendant Steven Funk's intentional infliction of emotional distress upon any of the Plaintiffs cause any item of damage to any of the Plaintiffs?

Answer "yes" or "no." ANSWER: NO

(If your answer is "yes" proceed to Question No. 9. If your answer is "no" skip to Question No. 10.)

QUESTION NO. 9: Which of the Plaintiffs suffered damages as a result of Defendant Steven Funk's intentional infliction of emotional distress? (Check all that are applicable)

☐ Theodore (Tad) Wonio
☐ Andrea Wonio

_____ Marjorie Wonio
_____ Theodore Wonio Jr.

(Proceed to Question No. 10.)

QUESTION NO. 10:

If you checked "Theodore (Tad) Wonio" in question 3, 6 or 9, state the amount of damages sustained by Theodore (Tad) Wonio caused by Steven Funk's actions to each of the following items of damage. If the Plaintiffs have failed to prove any item of damage, enter 0 for that item.

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

If you checked "Andrea Wonio" in question 3, 6 or 9, state the amount of damages sustained by Andrea Wonio caused by Steven Funk's actions to each of the following items of damage. If the Plaintiffs have failed to prove any item of damage, enter 0 for that item.

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

If you checked "Marjorie Wonio" in question 3, 6 or 9, state the amount of damages sustained by Marjorie Wonio caused by Steven Funk's actions to each of the following items of damage. If the Plaintiffs have failed to prove any item of damage, enter 0 for that item.

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

If you checked "Theodore Wonio Jr." in question 3, 6 or 9, state the amount of damages sustained by Theodore Wonio Jr. caused by Steven Funk's actions to each of the following items of damage. If the Plaintiffs have failed to prove any item of damage, enter 0 for that item.

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

(If you awarded any amount of damages for any Plaintiff proceed to Question No. 11. If you did not award any damages to any Plaintiff, do not answer Questions 11, 12 or 13. Sign the verdict form and inform the Court that you have a verdict.)

QUESTION NO. 11: Do you find by a preponderance of clear, convincing and satisfactory evidence the conduct of the Defendant Steven Funk constituted willful and wanton disregard for the rights or safety of another?

Answer "yes" or "no." ANSWER: NO

(If your answer is "yes," proceed to Question No. 12. If your answer to Question No. 11 is "no" do not answer Question Nos. 12 or 13. Sign the verdict forms and inform the Court that you have reached a verdict.)

QUESTION NO. 12: What amount of punitive damages, if any, do you award?

ANSWER: 0

(If any amount is awarded, proceed to Question No. 13. If your answer to Question No. 12 is "none" sign the verdict forms and inform the Court that you have reached a verdict.)

QUESTION NO. 13: Was the conduct of the defendant directed specifically at any of the Plaintiffs?

Answer "yes" or "no." ANSWER: NO

(Sign the verdict form)



Foreperson*

*To be signed only if the verdict is unanimous.

Juror**

Juror**

Juror**

Juror**

Juror**

Juror**

Juror**

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