

IN THE IOWA DISTRICT COURT FOR POLK COUNTY

<p>MICHAEL MCCANE,  Plaintiff,  v.  STATE OF IOWA and IOWA DEPARTMENT OF CORRECTIONS,  Defendants.</p>	<p>Case No. LACL152618  <b>VERDICT FORM</b></p>
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FILED  
 POLK COUNTY, IOWA  
 2024 AUG 21 PM 3:56  
 CLERK DISTRICT COURT

We, the Jury, find the following Verdicts on the questions submitted to us:

**Question No. 1:** Did Plaintiff prove his claim of disability discrimination as explained in Instruction No. 10? *(Please mark an "X" in the appropriate space.)*

ANSWER: YES \_\_\_\_\_ NO X

(Regardless of your answer to Question No. 1, proceed to Question No. 2.)

**Question No. 2:** Did Plaintiff prove his claim that Defendants failed to reasonably accommodate his disability, as explained in Instruction No. 14? *(Please mark an "X" in the appropriate space.)*

ANSWER: YES \_\_\_\_\_ NO X

(If your answered "yes" to Question No. 2, proceed to Question No. 3. If you answered "no" to Question No. 2, skip Question No. 3 and proceed to Question No. 4.)

**Question No. 3:** If you answered "yes" to Question No. 2, have Defendants proved their undue hardship defense, as explained in Instruction No. 18? *(Please mark an "X" in the appropriate space.)*

ANSWER: YES \_\_\_\_\_ NO \_\_\_\_\_

**Question No. 4:** Did Plaintiff prove his claim of retaliation as explained in Instruction No. 19? *(Please mark an "X" in the appropriate space.)*

ANSWER: YES \_\_\_\_\_ NO X

(If you answered "yes" to Question No. 4, proceed to Question No. 5. If you answered "no" to Question No. 4, skip Question No. 5.)

**Question No. 5:** Have Defendants proven their same-decision defense, as explained in Instruction No. 25? Answer “yes” or “no” (*Please mark an “X” in the appropriate space.*)

ANSWER: YES \_\_\_\_\_ NO \_\_\_\_\_

**(Answer Question No. 6 only if:**

1. Your answer to Question No. 1 was “yes;” **OR**
2. Your answer to Question No. 2 was “yes” **and** your answer to Question No. 3 was “no;” **OR**
3. Your answer to Question No. 4 was “yes” **and** your answer to Question No. 5 was “no.”

(If none of the three above-stated options for Question No. 6 apply, then skip Question No. 6 and proceed to Question No. 7.)

**Question No. 6:** State the amount of damages, if any, sustained by Plaintiff caused by Defendants’ wrongful conduct as to the following items of damage. If Plaintiff as failed to prove any item of damage or has failed to prove that any item of damage was caused by Defendants’ wrongful conduct, enter 0 for that item.

- |  |          |
|--|----------|
| 1. Back Pay and Benefits                                 | \$ _____ |
| 2. Front Pay and Benefits                                | \$ _____ |
| 3. Past Emotional Distress – Disability Discrimination   | \$ _____ |
| 4. Future Emotional Distress – Disability Discrimination | \$ _____ |
| 5. Past Emotional Distress – Failure to Accommodate      | \$ _____ |
| 6. Future Emotional Distress – Failure to Accommodate    | \$ _____ |
| 7. Past Emotional Distress – Retaliation                 | \$ _____ |
| 8. Future Emotional Distress – Retaliation               | \$ _____ |

(If you answered Question No. 6, proceed to Question No. 7.)

**Question No. 7:** Have Defendants proved their failure to mitigate defense, as explained in Instruction 27? (*Please mark an “X” in the appropriate space.*)

ANSWER: YES \_\_\_\_\_ NO \_\_\_\_\_

(If you answered “yes” to Question No. 7, proceed to Question No. 8.)

**Question No. 8:** State the amount Plaintiff could have reduced his damages by if he had properly mitigated them.

- |                           |          |
|---------------------------|----------|
| 1. Back Pay and Benefits  | \$ _____ |
| 2. Front Pay and Benefits | \$ _____ |

Dated August 21, 2024.

  
\_\_\_\_\_  
FOREPERSON\*

\*To be signed only if the Verdict is unanimous, meaning all jurors agree, **within the first six hours of deliberations.**

\_\_\_\_\_  
JUROR\*\*

\*\*To be signed by the jurors agreeing to the Verdicts **after six hours or more of deliberations.**

FILED  
POLK COUNTY, IA.  
2024 AUG 21 PM 3:57  
CLERK DISTRICT COURT