

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

NANCY DREW SUDERS,

Plaintiff

v.

THE PENNSYLVANIA
STATE POLICE,

Defendant

CIVIL NO. 1:CV-00-1655

FILED
HARRISBURG, PA.

MAR 22 2007

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VERDICT FORM

Question No. 1

Did Plaintiff prove, by a preponderance of the evidence, that she was subjected to a pattern of sexual harassment that was so severe and pervasive that it created an abusive working environment based on gender?

YES

NO

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If your answer to Question No. 1 is "NO," please sign the verdict form and return to the courtroom. If your answer is "YES," proceed to Question No. 2.

Question No. 2

Did Plaintiff prove, by a preponderance of the evidence, that her working environment became so intolerable that a reasonable person would have felt compelled to resign?

YES

NO

If your answer to Question No. 2 is "YES," proceed to Question No. 3.
If your answer to Question No. 2 is "NO," proceed to Question No. 4.

Question No. 3

Did Plaintiff prove, by a preponderance of the evidence, that the events surrounding her computer-skills exams that culminated in the events of the evening of August 20, 1998 constituted an official act that precipitated Plaintiff's constructive discharge?

YES _____

NO _____

If your answer to Question No. 3 is "YES," then proceed to Question No. 6. If your answer to Question No. 3 is "NO," then proceed to Question No. 4.

Question No. 4

Did Defendant establish, by a preponderance of the evidence, that the Pennsylvania State Police had an effective policy for reporting and resolving complaints of sexual harassment?

YES _____

NO _____

If your answer to Question No. 4 is "YES," proceed to Question No. 5.
If your answer to Question No. 4 is "NO" and you answered Question No. 2 "YES," then proceed to Question No. 6. If your answer to Question No. 4 is "NO" and your answer to Question No. 2 was "NO," proceed to Question No. 7.

Question No. 5

Did Defendant establish, by a preponderance of the evidence, that plaintiff unreasonably failed to avail herself of that employer-provided preventive or remedial policy?

YES _____

NO _____

If your answer to Question No. 5 is "YES," sign the verdict form and return to the courtroom. If your answer to Question No. 5 is "NO" and you answered Question No. 2 "YES," then proceed to Question No. 6. If your answer to Question No. 5 is "NO" and your answer to Question NO. 2 was "NO," then proceed to Question No. 7.

Question No. 6

What amount of damages, if any, will compensate Plaintiff for the injury she sustained from the sexually hostile work environment you found?

\$ _____ - Lost Employment Benefits

\$ _____ - Intangible Injuries (Emotional and Mental Distress, Humiliation, and Embarrassment)

\$ _____ - Total Damages (Benefits + Intangibles)

After you answer Question No. 6, please sign the verdict form and return to the courtroom. Do not answer Question No. 7.

Question No. 7

What amount of damages, if any, will compensate plaintiff for the injury she sustained from the sexually hostile work environment you found?

If you answered "NO" to Question No. 2, you cannot award any damages for lost wages or benefits and should not answer Question No. 6. However, you may award Plaintiff damages for intangible injuries that resulted from a sexually hostile work environment.

\$ _____ - Intangible Injuries (Emotional and Mental Distress, Humiliation, and Embarrassment)

After you answer Question No. 7, please sign the verdict form and return to the courtroom.

DATED: 3/22/05

David B. Weikel
JURY FOREPERSON