

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

MICHAEL HICKENBOTTOM, As
Personal Representative of the Estate of
Michael Ellerbe,

Plaintiff,

V.

Civil Action 03-223

SAMUEL NASSAN and JUAN CURRY,

Defendants.

VERDICT SLIP

1. Do you find that Defendant Nassan intentionally shot Michael Ellerbe?

Yes

No

2. Do you find that Defendant Nassan used unreasonable force under the circumstances in violation of Michael Ellerbe's Fourth Amendment Constitutional right?

Yes

No

3. Do you find that Defendant Curry intentionally shot Michael Ellerbe?

Yes

No

4. Do you find that Defendant Curry used unreasonable force under the circumstances in violation of Michael Ellerbe's Fourth Amendment Constitutional right?

Yes Yes No _____

[If you answered "No" to questions 2 and 4, do not proceed to the remaining questions. Please Sign the verdict slip and notify the bailiff.]

5. If you find that Michael Ellerbe's Fourth Amendment Constitutional right was violated, state

a) the amount of compensatory damages, if any, which you find:

Amount awarded under paragraph 1, page 21 of the final charge \$ 4,058.00

Amount awarded under paragraph 2, page 21 of the final charge \$ —

Amount awarded under paragraph 3, page 21 of the final charge \$ —

Amount awarded under paragraph 4, page 21 of the final charge \$ —

Amount awarded under paragraph 5, page 22 of the final charge \$ —

Amount awarded under paragraph 6, page 22 of the final charge \$ —

Amount awarded under paragraph 7, page 23 of the final charge \$ —

b) the amount of noneconomic loss awarded, pages 24-25 of the final charge \$ 4 Million

Total Amount Awarded. \$ 4,004,058.00

6. Did Defendant Nassan act maliciously or wantonly in violation of Michael Ellerbe's Fourth Amendment Constitutional right?

Yes Yes No _____

[If you answered "No" to question 6, please proceed to question 8. Otherwise, proceed to question 7.]

7. What punitive damages, if any, do you award against Defendant Nassan based on the violation of Michael Ellerbe's Fourth Amendment Constitutional right?

\$ 12 million

8. Did Defendant Curry act maliciously or wantonly in violation of Michael Ellerbe's Fourth Amendment Constitutional right?

Yes Yes No _____

[If you answered "No" to question 8, please have sign the verdict slip and notify the bailiff. Otherwise, proceed to question 9.]

9. What punitive damages, if any, do you award against Defendant Curry based on the violation of Michael Ellerbe's Fourth Amendment Constitutional right?

\$ 12 Million

Members of the Jury

1. Robert E. O'Brien
Foreperson

2. Vern A. Kym

3. Casimir Kelly

4. Rosemarie Castano

5. Cheryl Christy

6. Dalton Muse

7. Sybil A. Suda

8. Lisa L. Lee

9. Ken Harris

10. John E. Quinn

Dated: 3/11/08