

Jury Verdict

UNITED STATES DISTRICT COURT

DISTRICT COURT OF OREGON

PORTLAND DIVISION

DANIEL HALSTED,

3:10-cv-00619-AC

Plaintiff,

VERDICT FORM

v.

CITY OF PORTLAND, and OFFICER
BENJAMIN DAVIDSON, as an individual.

Defendants.

We, the jury, answer the questions submitted by the court as follows:

QUESTION NO. 1: Did Benjamin Davidson violate the constitutional rights of Daniel Halsted by
using excessive force?

Answer "yes" or "no"

Answer: yes

VERDICT FORM

INSTRUCTION: If you answered "no" to Question 1, go to Question 3. If you answered "yes" to Question 1, answer Question 2.

QUESTION NO. 2: Was the excessive force a cause of injury or damage to Daniel Halsted?

Answer "yes" or "no"

Answer: yes

INSTRUCTION: If you answered "no" to Question 2, go to Question 3. If you answered "yes" to Question 2, go to Question 6.

QUESTION NO. 3: Was Officer Davidson negligent in one or more of the ways the plaintiff claims?

Answer "yes" or "no"

Answer: _____

INSTRUCTION: If you answered "no" to Question 3 your verdict is for the defendants. Do not answer any more questions. If you answered "yes" to Question 3, answer Question 4.

QUESTION NO. 4: Was the negligence of Davidson a cause of injury or damage to Daniel Halsted?

Answer "yes" or "no"

Answer: _____

INSTRUCTION: If you answered "no" to Question 4, your verdict is for the defendants. Do not answer any more questions. If you answered "yes" to Question 4, go to Question 5.

QUESTION NO. 5: What is the percentage of each of the parties' fault/negligence that caused damage to Daniel Halsted? If you determine that a party was not at fault/negligent or did not cause damage to plaintiff, assign "0" as that party's percentage.

Defendant Officer Benjamin Davidson % _____

Plaintiff Daniel Halsted % _____

(The percentages must total 100%)

INSTRUCTION: If Daniel Halsted's percentage of negligence is 50% or less, go to question 6.

If Daniel Halsted's percentage of negligence is greater than 50%, your verdict is for Defendants. Do not answer any more questions.

QUESTION NO. 6: What are plaintiffs' damages for any excessive force or negligence that resulted in injury to Daniel Halsted?

Economic damages \$ 6,372.70

Noneconomic damages \$ ~~100,000~~ 75,000

INSTRUCTION: Do not reduce the damages by Daniel Halsted's percentage of negligence, if any, because the Court will do this when entering judgment.

QUESTION NO. 7: If you answered "yes" to Questions 1 and 2 do you award punitive damages?

Answer "yes" or "no"

Answer: yes


QUESTION NO. 8: If you answered yes to Question No. 7, what do you find to be the amount of punitive damages to punish the defendant Davidson and to deter defendant Davidson and others from committing similar acts in the future?

Answer: \$ 125,000

Sign and return this verdict.

DATED: March 13, 2012

VERDICT FORM


Presiding Juror