IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF IOWA
DAVENPORT DIVISION

FILED
DAVENPORT, IOWA
2002 JUL 10 P 4: 58
CLERK U.S. DISTRICT COURT
SOUTHERN DISTRICT OF IOWA

WANDA MORRISON,	*	
	*	3-01-CV-90034
Plaintiff,	*	
	*	
v.	*	
	*	
SELECT HOME IMPROVEMENT COMPANY and THE ACRI COMPANY,	*	ADDITIONAL FINAL JURY INSTRUCTIONS
Defendants.	*	

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NO. 13- Previous Instructions and Testimony
NO. 14- Punitive Damages

FINAL INSTRUCTION NO. 13
PREVIOUS INSTRUCTIONS AND TESTIMONY

Now that you have returned your verdicts on Plaintiff's claims of sexually hostile work environment and retaliation, you have one more matter to consider. In considering this matter, you are reminded that all of the previous instructions I have given you remain in effect. Also, you are instructed that in considering this final matter you are to take into account all of the evidence you have heard and seen thus far.

FINAL INSTRUCTION NO. 14
PUNITIVE DAMAGES

In addition to actual and nominal damages mentioned in the other instructions, the law permits the jury under limited circumstances to award an injured person punitive damages.

You must decide whether Defendants acted with malice or reckless indifference to Plaintiff's right not to be retaliated against for complaints about sexual harassment. Defendant acted with malice or reckless indifference if it has been proved by the greater weight of the evidence that Defendants knew that their conduct was in violation of the law prohibiting it, or acted with reckless disregard of that law.

However, you may not award punitive damages if it has been proved by the greater weight of the evidence that Defendants made a good faith effort to comply with the law prohibiting retaliation.

If you find that Defendants acted with malice or with reckless indifference to Plaintiff's right not to be retaliated against for complaints about sexual harassment, then in addition to any damages to which you find Plaintiff entitled, you may, but are not required to, award Plaintiff an additional amount as punitive damages if you find it is appropriate to punish the Defendants or to deter Defendants and other from like conduct in the future. Whether to award Plaintiff punitive damages, and the amount of those damages, are within your discretion.

Dated this 10th day of July, 2002.

Robert W. Pratt
ROBERT W. PRATT
U.S. DISTRICT JUDGE