

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

KENNETH REBER,)
)
Plaintiff,) CIVIL NO. 4-98-CV-10487
)
vs.)
)
OTTUMWA COMMUNITY SCHOOL DISTRICT,) SPECIAL VERDICT FORM
)
Defendant.)

WE, THE JURY, FIND THE FOLLOWING VERDICTS ON THE QUESTIONS
SUBMITTED TO US:

AMERICANS WITH DISABILITIES ACT CLAIM

QUESTION NO. 1: Has Kenneth Reber proved the elements of his
claim of a violation of the Americans with Disabilities Act
against defendant Ottumwa School District as explained in
Instruction No. _____?

Answer "yes" or "no."

ANSWER: _____

(If your answer to Question No. 1 is "no," go to Question No. 3.
If your answer is "yes," answer the next question.)

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QUESTION NO. 2: Has it been proved by a preponderance of the evidence that the defendant made a good faith effort and consulted with the plaintiff, to identify and make a reasonable accommodation?

Answer "yes" or "no."

ANSWER: _____

(If your answer to Question No. 2 is "yes," you may not award any compensatory damages, namely back pay or mental or emotional pain and suffering, for plaintiff's claim of a violation of the Americans with Disabilities Act. You may award only nominal damages for this claim. Answer the next question.)

RETALIATION

QUESTION NO. 3: Has Kenneth Reber proved his claim of retaliation by defendant Ottumwa School District as explained to you in Instruction No. ____?

Answer "yes" or "no."

ANSWER: _____

(If you answered "no" to Question Nos. 1 and 3, do not answer any further questions. The foreperson should sign and date this verdict form. Answer the next question only if you answered "yes" to Question No. 1 or 3.)

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QUESTION NO. 4 : Did Kenneth Reber voluntarily quit on October 18, 1999, or was he "constructively discharged" as explained in Instruction No. _____?

Answer "voluntarily quit" or "constructive discharge."

ANSWER: _____

(If your answer to Question No. 4 is "voluntarily quit," plaintiff is not entitled to back pay following termination of his employment. Answer the next question.)

QUESTION NO. 5 : We, the jury award damages against defendant Ottumwa School District for the following (if you find no damages for an item enter "0"). Fill in Part B only if you find plaintiff's claimed damages have no monetary value as explained in Instruction No. ____ or you answered Question No. 2 "yes.":

A. Compensatory Damages

- 1. Back pay \$ _____
- 2. Past and future mental and emotional pain and suffering \$ _____
- Total \$ _____

B. Nominal Damages \$ _____

FOREPERSON

DATE AND TIME