

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

ELIZABETH THOMPSON, )  
 )  
Plaintiff, ) Civil No. 4-98-cv-30584  
 )  
v. )  
 )  
NATIONAL CHIROPRACTIC MUTUAL ) SPECIAL VERDICT FORM  
INSURANCE COMPANY, GARRY BAKER, )  
and PAT McNERNEY, )  
 )  
Defendants. )

We, the jury, find the following special verdicts on  
the issues submitted to us:

I. Sexual Harassment - Baker

1. Did plaintiff Elizabeth Thompson prove her claim  
of sexual harassment against defendant Garry Baker as explained  
in Instruction No. 9?

(Answer "yes" or "no.")

**ANSWER:** \_\_\_\_\_

**(Answer the next question.)**

II. Sexual Harassment - National Chiropractic

2. Did plaintiff Elizabeth Thompson prove her claim  
of sexual harassment against defendant National Chiropractic as  
explained in Instruction No. 10?

(Answer "yes" or "no.")

**ANSWER:** \_\_\_\_\_

**(Answer the next question.)**

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III. Sex Discrimination

3. Did plaintiff Elizabeth Thompson prove her claim of sex discrimination against defendant National Chiropractic and/or defendant Pat McNerney as explained in Instruction No. 14?

(Answer "yes" or "no" as to each defendant.)

**ANSWER:** National Chiropractic \_\_\_\_\_

Pat McNerney \_\_\_\_\_

(If you answered "no" as to both defendants, do not answer the next question and proceed to Question No. 5. If you answered "yes" with respect to either defendant, answer the next question.)

4. Has it been proved by the preponderance of the evidence that defendant National Chiropractic would have taken the same employment actions against plaintiff regardless of her sex, as explained in Instruction No. 15?

(Answer "yes" or "no.")

**ANSWER:** \_\_\_\_\_

(If you answer "yes" you may not award any damages to plaintiff for her claim of sex discrimination. Answer the next question.)

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IV. Retaliation

5. Did plaintiff Elizabeth Thompson prove her claim of retaliation against defendants National Chiropractic and Pat McNerney as explained in Instruction No. 16?

(Answer "yes" or "no" as to each defendant.)

ANSWER: National Chiropractic \_\_\_\_\_

Pat McNerney \_\_\_\_\_

(If your answer to Question Nos. 1, 2, 3, and 5 is "no" as to all defendants or if your answer to Question Nos. 1, 2 and 5 is "no" as to all defendants and your answer to Question Nos. 3 and 4 is "yes," do not answer any further questions. The foreperson should sign and date the verdict form. If your answer to Question Nos. 1, 2, or 5 is "yes," and/or your Answer to Question No. 3 is "yes" and your answer to Question No. 4 is "no," answer the next question.)

V. Damages

6. We, the jury award damages for the following (if you find no damages for an item enter "0"). Fill in either Part A or Part B, but not both.

A. Compensatory Damages

1. Past charges for counseling \$\_\_\_\_\_

2. Future charges for counseling\$\_\_\_\_\_

3. Past emotional distress \$\_\_\_\_\_

4. Future emotional distress\$\_\_\_\_\_

Total \$\_\_\_\_\_

B. Nominal Damages \$\_\_\_\_\_

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(Answer the next question only if you found in favor of plaintiff with respect to any of her claims against National Chiropractic and awarded actual or nominal damages in response to Question No. 6.)

YOU MAY NOT AWARD PUNITIVE DAMAGES UNLESS YOU HAVE FIRST FOUND AGAINST DEFENDANT NATIONAL CHIROPRACTIC AND AWARDED PLAINTIFF ACTUAL OR NOMINAL DAMAGES.

7. What is the amount of punitive damages, if any, you find against defendant National Chiropractic? If you find no punitive damages, enter "0."

ANSWER: \$\_\_\_\_\_

\_\_\_\_\_  
FOREPERSON

\_\_\_\_\_  
DATE AND TIME