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THE HONORABLE MARSHA J. PECHMAN

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

DAVID GOLDSTINE,

Plaintiff,

v.

FEDEX FREIGHT, INC.,

Defendant.

Case No. 2:18-cv-01164 MJP

SPECIAL VERDICT FORM

We the jury, provide the following answers to the questions submitted by the Court:

QUESTION NO. 1: Has Mr. Goldstine proved his disability discrimination claim in violation of the Washington Law Against Discrimination?

ANSWER: Yes (write Yes or No).

QUESTION NO. 2: Has Mr. Goldstine proved his retaliation claim in violation of the Washington Law Against Discrimination?

ANSWER: Yes (write Yes or No).

1 **QUESTION NO. 3:** Has Mr. Goldstine proved his disability discrimination claim in violation
2 of the Americans With Disabilities Act?

3 ANSWER: Yes (write Yes or No).

4
5 **QUESTION NO. 4:** Has Mr. Goldstine proved his retaliation claim in violation of the
6 Americans With Disabilities Act?

7 ANSWER: Yes (write Yes or No).

8
9 *If you answered "No" to every one of the previous questions (1, 2, 3, and 4), then do not answer*
10 *the remaining questions, and please sign and date the verdict form. If you answered "Yes" to*
11 *any of the previous questions, then please proceed to answer the questions below.*

12
13 **QUESTION NO. 5:**

14 Did Mr. Goldstine suffer damages proximately caused by the actions of FedEx Freight,
15 Inc.?

16 ANSWER: Yes (write Yes or No).

17
18 *If you answered "Yes" to Question No. 5, please answer Question No. 6. If you answered*
19 *"No" to Question No. 5, then do not answer the remaining questions, and please sign and*
20 *date the verdict form.*

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1 **QUESTION NO. 6:**

2 What do you find to be the amount of damages sustained by Mr. Goldstine?

3 Economic Damages, if any, in the following categories:

4 A. Past Economic Loss \$ 129,278.00

5 B. Future Economic Loss \$ 272,465.00

6 Non-economic damages:

7 C. Emotional Harm \$ 1,750,000.00

8
9 *If you answered "Yes" to Question No. 5 and found damages in Question No. 6, please*
10 *answer Question No. 7.*

11 **QUESTION NO. 7:** Did FedEx Freight prove that Plaintiff failed to mitigate his damages?

12 ANSWER: Yes (write Yes or No)

13
14 *If you answered "Yes" to Question No. 7, please answer Question No. 8. If you answered*
15 *"No" to Question No. 7 and "Yes" to question Nos. 3 & 5, please answer Question No. 9.*

16
17 **QUESTION NO. 8:** If you answered "Yes" to Question 7 (mitigation), you are instructed to
18 reduce the amount of Plaintiff's damages you found in Question 6 by the amount you attribute
to the Plaintiff's failure to mitigate and enter the answer on the line below.

19 \$ 300,000.00

20
21 *If you answered "No" to Question No. 3, then do not answer the remaining questions, and*
22 *please sign and date the verdict form. If you answered "Yes" to Question Nos. 3 & 5, please*
23 *answer Question No. 9 below.*

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QUESTION NO. 9: Do you find that Defendant FedEx Freight, Inc. acted with malice or reckless indifference to Mr. Goldstine’s rights against discrimination under the Americans with Disabilities Act on the basis of a disability?

ANSWER: Yes (write Yes or No).


If you answered “No” to Question No. 9, then do not answer the remaining question, and please sign and date the verdict form. If you answered “Yes” to Question No. 9, please answer Question No. 10 below.

QUESTION NO. 10: What amount will punish Defendant FedEx Freight, Inc. for its malice or reckless indifference to Mr. Goldstine’s rights against discrimination under the Americans with Disabilities Act on the basis of a disability and deter similar acts in the future?

\$ 5,000,000.00

Presiding Juror, please sign and date this Verdict Form.

Dated November 16, 2020.

REDACTED
/s/ 
PRESIDING JUROR