

FILED

OCT 15 2012

**RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND**

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

TIM KRANSON,

Plaintiff,

v.

FEDERAL EXPRESS CORPORATION,

Defendant.

Case No. CV11-05826-YGR

JUDGE YVONNE GONZALEZ ROGERS

VERDICT FORMS

First Claim (Disability Discrimination)

We, the jury, answer the following questions:

1. Did Tim Kranson have a physical condition that limited a major life activity?

Yes No

If your answer to question 1 is yes, then answer question 2. If you answered no, then sign and date this verdict.

2. Did FedEx know that Mr. Kranson had a physical condition that limited a major life activity?

Yes No

If your answer to question 2 is yes, then answer question 3. If you answered no, then sign and date this verdict.

3. Was Mr. Kranson able to perform the essential job duties of the Ramp Agent position with or without accommodation?

Yes No

If your answer to question 3 is yes, then answer question 4. If you answered no, then sign and date this verdict.

4. Did FedEx subject Mr. Kranson to an adverse employment action?

Yes No

If your answer to question 4 is yes, then answer question 5. If you answered no, then sign and date this verdict.

5. Was Tim Kranson's physical condition a motivating reason for FedEx's decision to subject Mr. Kranson to an adverse employment action?

Yes No

If your answer to question 5 is yes, then answer question 6. If you answered no, then sign and date this verdict.

6. Was FedEx's conduct was a substantial factor in causing harm to Mr. Kranson?

Yes No

Sign and date this verdict.

DATED: 10-15-12

PRESIDING JUROR NO. 400

Linda Hill

PRESIDING JUROR SIGNATURE

Second Claim (Failure to Engage in the Interactive Process)

We, the jury, answer the following questions:

1. Did Tim Kranson have a physical condition that was known to FedEx?

Yes No

If your answer to question 1 is yes, then answer question 2. If your answer to question 1 is no, then sign and date this verdict.

2. Did Mr. Kranson request that FedEx make reasonable accommodation for his physical condition so that he would be able to perform the essential duties of the job?

Yes No

If your answer to question 2 is yes, then answer question 3. If your answer to question 2 is no, then sign and date this verdict.

3. Was Tim Kranson willing to participate in an interactive process to determine whether reasonable accommodation could be made so that he would be able to perform the essential job duties of the Ramp Agent position?

Yes No

If your answer to question 3 is yes, then answer question 4. If your answer to question 3 is no, then sign and date this verdict.

4. Did FedEx fail to participate in a timely, good faith interactive process with Tim Kranson to determine whether reasonable accommodation could be made?

Yes No

If your answer to question 4 is yes, then answer question 5. If your answer to question 4 is no, then sign and date this verdict.

5. Was FedEx's failure to participate in the interactive process a substantial factor in causing harm to Tim Kranson?

Yes No

Sign and date this verdict.

DATED: 10-15-12

PRESIDING JUROR NO. 400

Junda Hill

PRESIDING JUROR SIGNATURE

Third Claim (Failure to Provide Reasonable Accommodation)

We, the jury, answer the following questions:

1. Did Tim Kranson have a physical condition that limited a major life activity?

Yes No

If your answer to question 1 is yes, then answer question 2. If you answered no, then sign and date this verdict.

2. Did FedEx know that Mr. Kranson had a physical condition that limited a major life activity?

Yes No

If your answer to question 2 is yes, then answer question 3. If you answered no, then sign and date this verdict.

3. Was Mr. Kranson able to perform the essential job duties of the Ramp Agent position with or without accommodation?

Yes No

If your answer to question 3 is yes, then answer question 4. If you answered no, then sign and date this verdict.

4. Did FedEx fail to provide reasonable accommodation for Tim Kranson's disabilities?

Yes No

If your answer to question 4 is yes, then answer question 5. If you answered no, then sign and date this verdict.

5. Was FedEx's failure to provide reasonable accommodation a substantial factor in causing harm to Tim Kranson?

Yes No

Sign and date this verdict.

DATED: 10-15-12

PRESIDING JUROR NO. 400

Shonda Bell

PRESIDING JUROR SIGNATURE

Fourth Claim (Retaliation)

We, the jury, answer the following questions:

1. Did Tim Kranson take medical leave?

Yes No

If your answer to question 1 is yes, then answer question 2. If you answered no, then sign and date this verdict.

2. Did FedEx subject Tim Kranson to an adverse employment action?

Yes No

If your answer to question 2 is yes, then answer question 3. If you answered no, then sign and date this verdict.

3. Was Tim Kranson's medical leave a motivating reason for FedEx's decision to subject Tim Kranson to an adverse employment action?

Yes No

If your answer to question 3 is yes, then answer question 4. If you answered no, then sign and date this verdict.

4. Was FedEx's conduct a substantial factor in causing harm to Tim Kranson?

Yes No

Sign and date this verdict.

DATED: 10-15-12

PRESIDING JUROR NO. 400

Linda Hill

PRESIDING JUROR SIGNATURE

Fifth Claim (Failure to Prevent Discrimination or Retaliation)

Answer the following questions only if you answered yes to either question 6 of the First Claim or question 4 of the Fourth Claim. If you did not answer yes to either question, leave blank.

We, the jury, answer the following questions:

1. Did FedEx fail to take reasonable steps to prevent discrimination or retaliation?
_____ Yes X No

If your answer to question 1 is yes, then answer question 2. If you answered no, then sign and date this verdict.

2. Was FedEx's failure to prevent discrimination or retaliation a substantial factor in causing harm to Tim Kranson?
_____ Yes _____ No

Sign and date this verdict.

DATED: 10-15-12

PRESIDING JUROR NO. 400
Junda Hill

PRESIDING JUROR SIGNATURE

Sixth Claim (Wrongful Discharge in Violation of Public Policy)

We, the jury, answer the following questions:

1. Was Tim Kranson employed by FedEx?

Yes No

If your answer to question 1 is yes, then answer question 2. If you answered no, then sign and date this verdict.

2. Did FedEx discharge Mr. Kranson?

Yes No

If your answer to question 2 is yes, then answer question 3. If you answered no, then sign and date this verdict.

3. Was Mr. Kranson's disability or medical leave a motivating reason for Mr. Kranson's discharge?

Yes No

If your answer to question 3 is yes, then answer question 4. If you answered no, then sign and date this verdict.

4. Was the discharge a substantial factor in causing harm to Mr. Kranson?

Yes No

Sign and date this verdict.

DATED: 10-16-12

PRESIDING JUROR NO. 400

Linda Hill

PRESIDING JUROR SIGNATURE

Damages

Answer the following questions only if you have answered yes to question 6 of the First Claim, question 5 of the Second Claim, question 5 of the Third Claim, question 4 of the Fourth Claim, question 2 of the Fifth Claim, or question 4 of the Sixth Claim.

We, the jury, answer the following questions:

1. What are Tim Kranson's damages?

- a. Past lost earnings: 40,373.00
- b. Future lost earnings: 341,824.00
- c. Past non-economic loss: 0
- d. Future non-economic loss: 0

2. Did Tim Kranson prove by clear and convincing evidence that an officer, director or managing agent of FedEx committed, authorized or ratified an act of malice, oppression or fraud?

 Yes X No

Sign and date this verdict.

DATED: 10-15-12

PRESIDING JUROR NO. 400
Linda Hill
 PRESIDING JUROR SIGNATURE