

JURY VERDICT FORM

Claim 1: Retaliation by Defendant Boosinger [2017 Evaluation]
(Jury Instructions: Pages 7-8)

Did Dr. Stern prove by a preponderance of the evidence that:

- | | | |
|---|--------------------------------------|-------------------------------------|
| 1. Dr. Stern spoke out against the alleged clustering of student athletes in the Public Administration major? | <input checked="" type="radio"/> YES | <input type="radio"/> NO |
| 2. Dr. Boosinger decided that Dr. Stern would not receive an annual evaluation in 2017? | <input checked="" type="radio"/> YES | <input type="radio"/> NO |
| 3. Dr. Boosinger acted under color of state law? | <input type="radio"/> YES | <input checked="" type="radio"/> NO |
| 4. Dr. Stern's statements about the alleged clustering of student athletes in the Public Administration major were a motivating factor in Dr. Boosinger's decision that Dr. Stern would not receive an annual evaluation in 2017? | <input type="radio"/> YES | <input type="radio"/> NO |
| 5. Dr. Boosinger's action damaged Dr. Stern? | <input type="radio"/> YES | <input type="radio"/> NO |

*If you answered 'No' for any question, move to Claim 2 on page 3.
If you answered 'Yes' on all five questions, answer the question below.*

Did Dr. Boosinger prove by a preponderance of the evidence that:

- | | | |
|--|---------------------------|--------------------------|
| 1. Dr. Boosinger would have decided against giving Dr. Stern an annual evaluation in 2017 even if Dr. Boosinger had not considered Dr. Stern's speech about the alleged clustering ? | <input type="radio"/> YES | <input type="radio"/> NO |
|--|---------------------------|--------------------------|

*If you answered 'Yes', move to Claim 2 on page 3.
If you answered 'No,' answer the questions about Damages on page 2.*

Claim 1: Damages
(Jury Instructions: Pages 13-14)

A. Compensatory Damages

What are Dr. Stern's lost wages and benefits from the date of Dr. Boosinger's action to today?

Enter a dollar amount: _____

*If you awarded \$0, move to the nominal damages question below.
If you awarded more than \$0, move to the punitive damages question.*

B. Nominal Damages

1. Do you find that Dr. Stern is entitled to \$1 in nominal damages? YES NO

C. Punitive Damages

Did Dr. Stern prove by a preponderance of the evidence that:

1. Dr. Boosinger acted with malice or reckless indifference to Dr. Stern's federally protected rights? YES NO

*If you answered 'No', move to Claim 2 on page 3.
If you answered 'Yes,' move to the punitive damages question below.*

Enter a dollar amount of punitive damages (if any): _____

Claim 2: Retaliation by Defendant Aistrup [Removal as Chair]
(Jury Instructions: Pages 9-10)

Did Dr. Stern prove by a preponderance of the evidence that:

1. Dr. Stern spoke out against the alleged clustering of student athletes in the Public Administration major? YES NO
2. Dr. Aistrup removed Dr. Stern as Chair of the Department of Economics? YES NO
3. Dr. Aistrup acted under color of state law? YES NO
4. Dr. Stern's statements about the alleged clustering of student athletes in the Public Administration major were a motivating factor in Dr. Aistrup's decision to remove Dr. Stern as Chair of the Department of Economics? YES NO
5. Dr. Aistrup's action damaged Dr. Stern? YES NO

*If you answered 'No' for any question, move to Claim 3 on page 5.
If you answered 'Yes' on all five questions, answer the question below.*

Did Dr. Aistrup prove by a preponderance of the evidence that:

1. Dr. Aistrup would have removed Dr. Stern as Chair of the Department of Economics even if Dr. Aistrup had not considered Dr. Stern's speech about the alleged clustering? YES NO

*If you answered 'Yes', move to Claim 3 on page 5.
If you answered 'No,' answer the questions about Damages on page 4.*

Claim 2: Damages
(Jury Instructions: Pages 13-14)

A. Compensatory Damages

What are Dr. Stern's lost wages and benefits from the date of Dr. Aistrup's action to today?

Enter a dollar amount:

\$114,817

*If you awarded \$0, move to the nominal damages question below.
If you awarded more than \$0, move to the punitive damages question.*

B. Nominal Damages

1. Do you find that Dr. Stern is entitled to \$1 in nominal damages? YES NO

C. Punitive Damages

Did Dr. Stern prove by a preponderance of the evidence that:

1. Dr. Aistrup acted with malice or reckless indifference to Dr. Stern's federally protected rights? YES NO

*If you answered 'No', move to Claim 3 on page 5.
If you answered 'Yes,' move to the punitive damages question below.*

Enter a dollar amount of punitive damages (if any):

250,000

Claim 3: Retaliation by Defendant Aistrup [Raise + Supplement]
(Jury Instructions: Pages 11-13)

Did Dr. Stern prove by a preponderance of the evidence that:

1. Dr. Stern spoke out against the alleged clustering of student athletes in the Public Administration major? YES NO
2. Dr. Aistrup denied Dr. Stern a raise for the 2018-19 academic year and/or a one-time merit supplement in December 2018? YES NO
3. Dr. Aistrup acted under color of state law? YES NO
4. Dr. Stern's statements about the alleged clustering of student athletes in the Public Administration major were a motivating factor in Dr. Aistrup's decision to deny Dr. Stern a raise for the 2018-19 academic year and/or a one-time merit supplement in December 2018? YES NO
5. Dr. Aistrup's action damaged Dr. Stern? YES NO

*If you answered 'No' for any question, move to Claim 3 on page 7.
If you answered 'Yes' on all five questions, answer the question below.*

Did Dr. Aistrup prove by a preponderance of the evidence that:

1. Dr. Aistrup would have denied Dr. Stern a raise for the 2018-19 academic year and a one-time merit supplement in December 2018 even if Dr. Aistrup had not considered Dr. Stern's speech about the alleged clustering? YES NO

*If you answered 'Yes', move to Claim 3 on page 7.
If you answered 'No,' answer the questions about Damages on page 6.*

Claim 3: Damages against Dr. Aistrup
(Jury Instructions: Pages 13-14)

A. Compensatory Damages

What are Dr. Stern's lost wages and benefits from the date of Dr. Aistrup's action to today?

Enter a dollar amount:

31,020

*If you awarded \$0, move to the nominal damages question below.
If you awarded more than \$0, move to the punitive damages question.*

B. Nominal Damages

- | | | |
|--|-----|----|
| 1. Do you find that Dr. Stern is entitled to \$1 in nominal damages? | YES | NO |
|--|-----|----|

C. Punitive Damages

Did Dr. Stern prove by a preponderance of the evidence that:

- | | | |
|--|------------|----|
| 1. Dr. Aistrup acted with malice or reckless indifference to Dr. Stern's federally protected rights? | <u>YES</u> | NO |
|--|------------|----|

*If you answered 'No', move to Claim 3 on page 7.
If you answered 'Yes,' move to the punitive damages question below.*

Enter a dollar amount of punitive damages (if any):

250,000

Claim 3: Retaliation by Defendant Hardgrave [Raise + Supplement]
(Jury Instructions: Pages 10-12)

Did Dr. Stern prove by a preponderance of the evidence that:

- | | | |
|---|--------------------------------------|-------------------------------------|
| 1. Dr. Stern spoke out against the alleged clustering of student athletes in the Public Administration major? | <input checked="" type="radio"/> YES | <input type="radio"/> NO |
| 2. Dr. Hardgrave denied Dr. Stern a raise for the 2018-19 academic year and/or a one-time merit supplement in December 2018? | <input checked="" type="radio"/> YES | <input type="radio"/> NO |
| 3. Dr. Hardgrave acted under color of state law? | <input type="radio"/> YES | <input checked="" type="radio"/> NO |
| 4. Dr. Stern's statements about the alleged clustering of student athletes in the Public Administration major were a motivating factor in Dr. Hardgrave's decision to deny Dr. Stern a raise for the 2018-19 academic year and/or a one-time merit supplement in December 2018? | <input type="radio"/> YES | <input type="radio"/> NO |
| 5. Dr. Hardgrave's action damaged Dr. Stern? | <input type="radio"/> YES | <input type="radio"/> NO |

*If you answered 'No' for any question, sign and date the form on page 9.
If you answered 'Yes' on all five questions, answer the question below.*

Did Dr. Hardgrave prove by a preponderance of the evidence that:

- | | | |
|---|---------------------------|--------------------------|
| 1. Dr. Hardgrave would have denied Dr. Stern a raise for the 2018-19 academic year and a one-time merit supplement in December 2018 even if Dr. Hardgrave had not considered Dr. Stern's speech about the alleged clustering? | <input type="radio"/> YES | <input type="radio"/> NO |
|---|---------------------------|--------------------------|

*If you answered 'Yes', sign and date the form on page 9.
If you answered 'No,' answer the questions about Damages on page 8.*

Claim 3: Damages against Dr. Hardgrave
(Jury Instructions: Pages 13-14)

A. Compensatory Damages

What are Dr. Stern's lost wages and benefits from the date of Dr. Hardgrave's action to today?

Enter a dollar amount: _____

*If you awarded \$0, move to the nominal damages question below.
If you awarded more than \$0, move to the punitive damages question.*

B. Nominal Damages

1. Do you find that Dr. Stern is entitled to \$1 in nominal damages? YES NO

C. Punitive Damages

Did Dr. Stern prove by a preponderance of the evidence that:

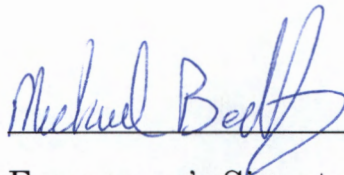
1. Dr. Hardgrave acted with malice or reckless indifference to Dr. Stern's federally protected rights? YES NO

*If you answered 'No', sign and date the form on the next page.
If you answered 'Yes,' move to the punitive damages question below.*

Enter a dollar amount of punitive damages (if any): _____

SO SAY WE ALL.

DATE: 15 NOV 2022

A handwritten signature in blue ink, appearing to read "Michael Beeth", written over a horizontal line.

Foreperson's Signature