

FILED
U.S. DISTRICT COURT
DISTRICT OF NEBRASKA

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

2023 SEP -1 PM 1:34

OFFICE OF THE CLERK

EQUAL EMPLOYMENT
OPPORTUNITY COMMISSION,

Plaintiff,

vs.

DRIVERS MANAGEMENT, LLC and
WERNER ENTERPRISES, INC.

Defendants.

8:18-CV-462

VERDICT FORM

Finding #1: Failure to Hire Claim

On the plaintiff's failure to hire claim against the defendants, as instructed in Instruction #9, we find in favor of:

The plaintiff, the EEOC.

The defendants, Drivers Management, LLC and Werner Enterprises, Inc.

(Mark an 'X' in the appropriate space.)

Finding #2: Failure to Accommodate Claim

On the plaintiff's failure to accommodate claim against the defendants, as instructed in Instruction #10, we find in favor of:

The plaintiff, the EEOC.

The defendants, Drivers Management, LLC and Werner Enterprises, Inc.

(Mark an 'X' in the appropriate space.)

Answer Finding #3 only if you find in favor of the plaintiff on either Finding #1 or Finding #2. If you found in favor of the defendants on both claims, you have completed your deliberations and may sign and date the verdict form.

Finding #3: Business Necessity Defense

On the defendants' business necessity affirmative defense, as instructed in Instruction #11, we find in favor of:

 X The plaintiff, the EEOC.

 The defendants, Drivers Management, LLC, and Werner Enterprises, Inc.

(Mark an 'X' in the appropriate space.)

Answer Finding #4 and Finding #5 only if you find in favor of the plaintiff on either Finding #1 or Finding #2, and on Finding #3. If you found in favor of the defendants on Finding #3, you have completed your deliberations and may sign and date the verdict form.

Finding #4: Actual Damages

What is the total amount of damages, if any, that will fairly and reasonably compensate Mr. Robinson for his emotional pain, suffering, inconvenience, mental anguish, and loss of enjoyment of life, as instructed in Instruction #15?

\$ 75,000.

Finding #5: Punitive Damages

What is the amount of punitive damages, if any, for malice or reckless indifference to Mr. Robinson's right not to be discriminated against on the basis of a disability, as instructed in Instruction #16?

\$ 36,000,000.

EXECUTION OF VERDICT FORM

The foreperson shall sign and date the verdict form, and such signature shall mean that the verdict of the jury was unanimous.

Dated this 1 day of September, 2023.

