

CHAMBERS

*District Court  
Second Judicial District*

Room 209, City and County Building  
1437 Bannock Street  
Denver, CO 80202

LARRY J. NAVES, CHIEF JUDGE

FACSIMILE FOR IMMEDIATE DELIVERY

DATE: 4/7/09  
TO: Robert Bruce  
FAX NO: (3) 573-5537  
FROM: Todd H. Carstrom 6 Den. Dist. Ct.

RETURN FAX NUMBER IS (720) 865-8579

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MESSAGE: Verdict Form

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DISTRICT COURT, CITY AND COUNTY OF DENVER, COLORADO Court Address: 1437 Bannock Street, Denver, Colorado 80202	<input type="checkbox"/> COURT USE ONLY <input type="checkbox"/>
<b>Plaintiff(s):</b> WARD CHURCHILL  v.  <b>Defendant(s):</b> UNIVERSITY OF COLORADO, and THE BOARD OF REGENTS OF THE UNIVERSITY OF COLORADO, a body corporate.	
<b>VERDICT FORM</b>	

We, the jury, have arrived at the following verdict in this lawsuit. We have made any findings by a preponderance of the evidence.

**Please answer Question 1.**

1. When it terminated Professor Churchill's employment, did a majority of the Board of Regents of the University of Colorado use Plaintiff's protected speech activity as a substantial or motivating factor in the decision to discharge the Plaintiff from employment?

ANSWER:  yes \_\_\_\_\_ no

**If you have answered "no" to Question 1, you do not need to answer any of the following questions on this verdict form. Please sign and date this verdict form. If you answered "yes" to Question 1, please answer Question 2.**

2. Did the termination harm Plaintiff Churchill?

ANSWER:  yes \_\_\_\_\_ no

**If you have answered "no" to Question 2, you do not need to answer any of the following questions on this verdict form. Please sign and date this verdict form. If you answered "yes" to Question 2, please answer Question 3.**

3. Have the Defendants shown by a preponderance of the evidence that the Plaintiff would have been dismissed for other reasons even in the absence of the protected speech activity?

ANSWER: \_\_\_\_\_ yes  no

**If you have answered "yes" to Question 3, you do not need to answer any of the following questions on this verdict form. Please sign and date this verdict form. If you answered "yes" to Questions 1-2 and "no" to Question 3, please answer Question 4.**

4. Please describe the dollar amount of compensation, in each category, that you will provide to Plaintiff Churchill for prevailing on his claim for retaliation based on Defendant University's decision to terminate his employment. In making such awards, you should deduct any sums that were proven by a preponderance of the evidence to have occurred because of Plaintiff Churchill's failure to mitigate his damages.

Past non-economic damages \$ 0

Past economic loss \$ 1

**Please sign and date this Verdict Form. After you have signed and dated this Verdict Form, please notify the bailiff that you have completed your deliberations. Do not inform the bailiff of your verdict.**

Dated this 2 day of April, 2009:

BY THE JURY:

[Signature]

Vinnie Scachitano

Amanda Mark

Bethany Nurrell

Shadi Ahmad  
Foreperson

Jacy L Wallace