

Ex 5

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

----- x  
LORRAINE WETZEL,

Plaintiff,

03 Civ. 9896 (LAP)

-against-

**VERDICT FORM**

THE TOWN OF ORANGETOWN and  
KEVIN NULTY, individually and as Chief of Police,

Defendants.  
----- x

1. Do you find that the Plaintiff proved by a preponderance of the evidence that the Town Board promoted Donald Butterworth to the position of lieutenant instead of the Plaintiff in retaliation for Plaintiff having commenced an earlier lawsuit against the Town?

YES

NO

If you answered "No", please skip Question 2 and proceed to Question 3.

2. If you answered "Yes" to Question 1, what amount, if any, of compensatory damages do you award Plaintiff?

\$ \_\_\_\_\_ Proceed to Question 3.

3. Do you find that the Plaintiff proved by a preponderance of the evidence that the Defendants discriminated against her on the basis of gender in promoting Donald Butterworth to the position of lieutenant instead of the Plaintiff—

--as to the Town of Orangetown?

YES

NO

--as to Kevin Nulty?

YES

NO

If you answered "No" as to both Defendants, please skip Question 4 and proceed to Question 5.

4. If you answered "Yes" to Question 3 as to either Defendant, what amount, if any, of compensatory damages do you award Plaintiff as to each Defendant?

Town of Orangetown: \$ \_\_\_\_\_

Kevin Nulty: \$ \_\_\_\_\_

Proceed to Question 5.

5. Do you find that the Plaintiff proved by a preponderance of the evidence that the Defendants took some other, materially adverse employment action(s) against Plaintiff in retaliation for Plaintiff having commenced an earlier lawsuit against the Town?

YES

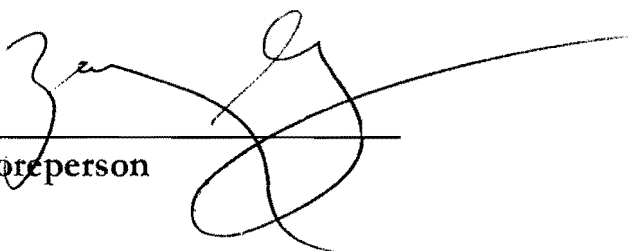
NO

If you answered "No" to Question 5, then you are finished. Please skip Question 6, have the Foreperson sign this Verdict Form where indicated below, and advise the Marshall that your deliberations are concluded.

6. If you answered "Yes" to Question 5, what amount, if any, of compensatory damages do you award Plaintiff?

\$ \_\_\_\_\_

**We, the jury, unanimously decide the claims in this case as set forth above:**

  
\_\_\_\_\_  
Foreperson