

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

AMADO BRITO,

Plaintiff,

v.

9:02-CV-1410
(FJS/RFT)

Superintendent Hollins, Oneida
Correctional Facility; Burge,
Superintendent, Auburn Correctional
Facility; H. Moss, Correctional Officer
at Oneida Correctional Facility;
Amina Ahsan, Facility Health Services
Director at Auburn Correctional
Facility; and Ann Driscoll, Acting Nurse
Administrator at Auburn,

Defendants.

VERDICT FORM

I. Deliberate Indifference to a Serious Medical Need

1. Did Plaintiff prove, by a preponderance of the evidence, that he had a serious medical need?

_____ Yes _____ No

If your answer to Question 1 is "Yes," proceed to Question 2.

If your answer to Question 1 is "No," proceed to Question 5.

2. Did Plaintiff prove, by a preponderance of the evidence, that any of the Defendants listed below was deliberately indifferent to Plaintiff's serious medical need?

Defendant Hollins

_____ Yes

_____ No

Defendant Burge

_____ Yes

_____ No

With respect to the amount of compensatory or nominal damages you have indicated above, please indicate the amount for which each of the following Defendants is liable.

Defendant Hollins	\$ _____ Compensatory	\$ _____ Nominal
Defendant Burge	\$ _____ Compensatory	\$ _____ Nominal
Defendant Ahsan	\$ _____ Compensatory	\$ _____ Nominal
Defendant Driscoll	\$ _____ Compensatory	\$ _____ Nominal

II. Retaliation

5. Did Plaintiff prove, by a preponderance of the evidence, that any of the Defendants listed below retaliated against him for filing grievances in violation of the First Amendment?

Defendant Hollins	_____ Yes	_____ No
Defendant Burge	_____ Yes	_____ No
Defendant Moss	_____ Yes	_____ No
Defendant Driscoll	_____ Yes	_____ No

If your answer to Question 5 is "Yes" for any of the Defendants listed above, proceed to Question 6.

If your answer to Question 5 is "No" for all of the Defendants listed above, proceed to Question 7.

9. For any Defendant against whom you awarded Plaintiff compensatory or nominal damages in Question 4, Question 6 and/or Question 8, indicate against which of those Defendants, if any, Plaintiff is entitled to punitive damages.

Defendant Hollins	<u> </u> Yes	<u> </u> No
Defendant Burge	<u> </u> Yes	<u> </u> No
Defendant Moss	<u> </u> Yes	<u> </u> No
Defendant Ahsan	<u> </u> Yes	<u> </u> No
Defendant Driscoll	<u> </u> Yes	<u> </u> No

Dated: _____, 2006

Foreperson