

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

COREY HEATH,

Plaintiff,

v.

9:96-CV-1998
(FJS/RFT)

C.O. SADDLEMIRE, C.O. FOLEY, C.O. REYES,
C.O. PILATICH, C.O. DARLING,
C.O. MESSINA, C.O. HOTALING,
C.O. HODGES, C.O. SUPINA,
C.O. STROUD, C.O. ANGERAMI, C.O. CHEWENS,
C.O. CHASE, and SGT. PALMER,

Defendants.

VERDICT FORM

Please indicate your response to the following questions by placing an "X" on the appropriate lines.

QUESTION 1: Has Plaintiff proven, by a preponderance of the evidence, that any of the Defendants listed below used excessive force against him in violation of the Eighth Amendment?

Defendant Angerami

Yes

No

Defendant Chase

Yes

No

Defendant Darling

Yes

No

Defendant Foley

Yes

No

Defendant Hodges

Yes

No

Defendant Hotaling	_____	_____
	Yes	No
Defendant Messina	_____	_____
	Yes	No
Defendant Palmer	_____	_____
	Yes	No
Defendant Pilatich	_____	_____
	Yes	No
Defendant Reyes	_____	_____
	Yes	No
Defendant Saddlemire	_____	_____
	Yes	No
Defendant Stroud	_____	_____
	Yes	No
Defendant Supina	_____	_____
	Yes	No

If your answer to this question is "Yes" for any of the Defendants listed above, proceed to Question 2.

If your answer to this question is "No" for all of the Defendants listed above, proceed to Question 3.

QUESTION 2: What, if any, compensatory or nominal damages is Plaintiff entitled to as a result of the conduct of the Defendant(s) for whom you answered "Yes" to Question 1?

\$ _____

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

Defendant Angerami _____ %

Defendant Chase _____ %
 Defendant Darling _____ %
 Defendant Foley _____ %
 Defendant Hodges _____ %
 Defendant Hotaling _____ %
 Defendant Messina _____ %
 Defendant Palmer _____ %
 Defendant Pilatich _____ %
 Defendant Reyes _____ %
 Defendant Saddlemire _____ %
 Defendant Stroud _____ %
 Defendant Supina _____ %

QUESTION 3: Has Plaintiff proven, by a preponderance of the evidence, that any of the Defendants listed below violated his Eighth Amendment rights by failing to protect him from the use of excessive force by other Corrections Officers?

Defendant Angerami	_____	_____
	Yes	No
Defendant Chase	_____	_____
	Yes	No
Defendant Chewens	_____	_____
	Yes	No
Defendant Darling	_____	_____
	Yes	No

Defendant Foley	<u> </u> Yes	<u> </u> No
Defendant Hodges	<u> </u> Yes	<u> </u> No
Defendant Hotaling	<u> </u> Yes	<u> </u> No
Defendant Messina	<u> </u> Yes	<u> </u> No
Defendant Palmer	<u> </u> Yes	<u> </u> No
Defendant Pilatich	<u> </u> Yes	<u> </u> No
Defendant Reyes	<u> </u> Yes	<u> </u> No
Defendant Saddlemire	<u> </u> Yes	<u> </u> No
Defendant Stroud	<u> </u> Yes	<u> </u> No
Defendant Supina	<u> </u> Yes	<u> </u> No

If your answer to this question is "Yes" for any of the Defendants listed above, proceed to Question 4.

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

QUESTION 4: What, if any, compensatory or nominal damages is Plaintiff entitled to as a result of the conduct of the Defendant(s) for whom you answered "Yes" to Question 3?

\$ _____

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

Defendant Angerami	_____	%
Defendant Chase	_____	%
Defendant Chewens	_____	%
Defendant Darling	_____	%
Defendant Foley	_____	%
Defendant Hodges	_____	%
Defendant Hotaling	_____	%
Defendant Messina	_____	%
Defendant Palmer	_____	%
Defendant Pilatich	_____	%
Defendant Reyes	_____	%
Defendant Saddlemire	_____	%
Defendant Stroud	_____	%
Defendant Supina	_____	%

QUESTION 5: If you have found any of the Defendants liable under either claim 1 (use of excessive force) or claim 2 (failure to protect), then you may consider whether Plaintiff should be awarded punitive damages as to any such Defendant.

Defendant Angerami	_____	_____
	Yes	No
Defendant Chase	_____	_____
	Yes	No

Defendant Chewens	<u> </u> Yes	<u> </u> No
Defendant Darling	<u> </u> Yes	<u> </u> No
Defendant Foley	<u> </u> Yes	<u> </u> No
Defendant Hodges	<u> </u> Yes	<u> </u> No
Defendant Hotaling	<u> </u> Yes	<u> </u> No
Defendant Messina	<u> </u> Yes	<u> </u> No
Defendant Palmer	<u> </u> Yes	<u> </u> No
Defendant Pilatich	<u> </u> Yes	<u> </u> No
Defendant Reyes	<u> </u> Yes	<u> </u> No
Defendant Saddlemire	<u> </u> Yes	<u> </u> No
Defendant Stroud	<u> </u> Yes	<u> </u> No
Defendant Supina	<u> </u> Yes	<u> </u> No

Dated: _____

Foreperson _____