

W. Perkins

SPECIAL INTERROGATORIES ON
RICHARD PERKINS CLAIM OF DISPARATE TREATMENT
AGAINST DEFENDANT FEDERAL FRUIT AND PRODUCE

Do you find from a preponderance of the evidence:

1. That Plaintiff Richard Perkins' race was a motivating factor that prompted Defendant Federal Fruit and Produce to subject him to adverse employment actions?

Answer Yes or No _____

Note: If you answered "no" to question 1, you need not answer the remaining questions.

2. The Plaintiff Richard Perkins should be awarded damages to compensate for emotional pain and mental anguish?

Answer Yes or No _____

If your answer is "yes," in what amount? \$ 10,000⁰⁰

3(a). That a higher management official of Defendant Federal Fruit and Produce acted with malice or reckless indifference to the Plaintiff Richard Perkins' federally protected rights?

Answer Yes or No _____

(b) If your answer is "yes," that Defendant Federal Fruit and Produce itself had not acted in a good faith attempt to comply with the law?

Answer Yes or No _____

(c) If your answer is "yes," what amount of punitive damages, if any, should be assessed against Defendant Federal Fruit and Produce? \$ \$65,000⁰⁰

SPECIAL INTERROGATORIES ON
RICHARD PERKINS RACE DISPARATE TREATMENT
AGAINST MICHAEL MARTELLI

Do you find from a preponderance of the evidence:

1. That Defendant Michael Martelli subjected Plaintiff Perkins to adverse employment actions?

Answer Yes or No _____

2. That Plaintiff Richard Perkins' race was a motivating factor that prompted Defendant

Michael Martelli to subject him to adverse employment actions?

Answer Yes or No _____

Note: If you answered "no" to question 1 or question 2, you need not answer the remaining questions.

3. That Plaintiff Richard Perkins should be awarded damages to compensate for emotional pain and mental anguish?

Answer Yes or No _____

If your answer is "yes," in what amount? \$ 10,000⁰⁰

4(a). That Defendant Michael Martelli acted with malice or reckless indifference to the Plaintiff Richard Perkins' federally protected rights?

Answer Yes or No _____

(b) If your answer is "yes," that Defendant Michael Martelli had not acted in a good faith attempt to comply with the law?

Answer Yes or No _____

(c) If your answer is "yes," what amount of punitive damages, if any, should be assessed against

Defendant Michael Martelli?

\$ 65,000⁰⁰

SPECIAL INTERROGATORIES ON
RICHARD PERKINS' RACE DISCRIMINATION CLAIM FOR UNLAWFUL
DISCHARGE AGAINST DEFENDANT FEDERAL FRUIT AND PRODUCE

Do you find from a preponderance of the evidence:

1. That Plaintiff Richard Perkins was discharged from employment by Defendant Federal Fruit and Produce?

Answer Yes or No _____

2. That Plaintiff Richard Perkins' race was a motivating factor that prompted Defendant Federal Fruit and Produce to take that action?

Answer Yes or No _____

Note: If you answered "no" to either Question No. 1 or Question No. 2 you need not answer the remaining questions.

3. Do you find Defendant Federal Fruit and Produce's decision to terminate Plaintiff Richard Perkins was motivated both by race and a non-racial reason?

Answer Yes or No _____

Note: If your above answer is "no," you do not need to answer the next question.

4. If your answer to Question 3 is "yes", has Defendant Federal Fruit and Produce proved by a preponderance of the evidence that Defendant Federal Fruit and Produce would have made the same decision if Plaintiff Richard Perkins' race had played no role in the employment decision?

Answer Yes or No No This is No p.s.f

Note: If you answered "yes" to Question No. 4, you need not answer the remaining questions.

If you answered "no" to Question 4, answer the following questions:

5. That Plaintiff Richard Perkins should be awarded damages to compensate for a net loss of wages and benefits to the date of trial?

Answer Yes or No _____

If your answer is "yes," in what amount? \$ 3,000⁰⁰

6. That Plaintiff Richard Perkins should be awarded damages to compensate for emotional pain and mental anguish?

Answer Yes or No _____

If your answer is "yes," in what amount? \$ \$5,000⁰⁰

7(a). That a higher management official of Defendant Federal Fruit and Produce acted with malice or reckless indifference to Plaintiff Richard Perkins' federally protected rights?

Answer Yes or No _____

(b) If your answer is "yes," that Defendant Federal Fruit and Produce itself had not acted in a good faith attempt to comply with the law?

Answer Yes or No _____

(c) If your answer is "yes," what amount of punitive damages, if any, should be assessed against Defendant Federal Fruit and Produce? \$ 65,000⁰⁰

SPECIAL INTERROGATORIES ON
RICHARD PERKINS' RACE DISCRIMINATION CLAIM FOR UNLAWFUL DISCHARGE
AGAINST MICHAEL MARTELLI

Do you find from a preponderance of the evidence:

1. That Plaintiff Richard Perkins was discharged from employment by Defendant Michael Martelli?

Answer Yes or No _____

2. That Plaintiff Richard Perkins' race was a motivating factor that prompted Defendant Michael Martelli to take that action?

Answer Yes or No _____

Note: If you answered "no" to either Question No. 1 or Question No. 2 you need not answer the remaining questions.

3. Do you find Defendant Michael Martelli's decision to terminate Plaintiff Richard Perkins was motivated both by race and a non-racial reason?

Answer Yes or No _____

Note: If your above answer is "no," you do not need to answer the next question.

4. If your answer to Question 3 is "Yes", has Defendant Michael Martelli proved by a preponderance of the evidence that he would have made the same decision if Plaintiff Richard Perkins' race had played no role in the employment decision?

Answer Yes or No _____

Note: If you answered "yes" to Question No. 4, you need not answer the remaining questions.

5. That Plaintiff Richard Perkins should be awarded damages to compensate for a net loss of wages and benefits to the date of trial?

Answer Yes or No _____

If your answer is "yes," in what amount? \$ 6,500⁰⁰

6. That Plaintiff Richard Perkins should be awarded damages to compensate for emotional pain and mental anguish?

Answer Yes or No _____

If your answer is "yes," in what amount? \$ 15,000⁰⁰

7(a). That Defendant Michael Martelli acted with malice or reckless indifference to Plaintiff Richard Perkins' federally protected rights?

Answer Yes or No _____

(b) If your answer is "yes," that Defendant Michael Martelli himself had not acted in a good faith attempt to comply with the law?

Answer Yes or No _____

(c) If your answer is "yes," what amount of punitive damages, if any, should be assessed against Defendant Michael Martelli? \$ 65,000⁰⁰

SPECIAL INTERROGATORIES ON
RICHARD PERKINS' RETALIATION CLAIM AGAINST
FEDERAL FRUIT AND PRODUCE

Do you find from a preponderance of the evidence:

1. That Plaintiff Richard Perkins opposed racially discriminatory treatment by filing grievances and making reports to Defendant Federal Fruit and Produce?

Answer Yes or No _____

2. That Plaintiff Richard Perkins was discharged from his employment by Defendant Federal Fruit and Produce?

Answer Yes or No _____

3. That Defendant Federal Fruit and Produce discharged Plaintiff Richard Perkins from his employment because he opposed racially discriminatory treatment?

Answer Yes or No _____

Note: If you answered "no" any of the above questions, you need not answer the remaining questions.

4. That Plaintiff Richard Perkins should be awarded damages to compensate for a net loss of wages and benefits to the date of trial?

Answer Yes or No _____

If your answer is "Yes", in what amount? \$ 26,697⁰⁰

5. That Plaintiff Richard Perkins should be awarded damages to compensate for emotional pain and mental anguish?

Answer Yes or No _____

If your answer is Yes, in what amount? \$ 50,000^{re}

6. (a) That a higher management official of Defendant Federal Fruit and Produce acted with malice or reckless indifference to the Plaintiff Richard Perkins' federally protected rights?

Answer Yes or No _____

(b) If your answer is "yes", that Defendant Federal Fruit and Produce itself had not acted in a good faith attempt to comply with the law?

Answer Yes or No _____

(c) If your answer is "yes", what amount of punitive damages, if any, should be assessed against Defendant Federal Fruit and Produce?_{bc}

\$ 350,000

SPECIAL INTERROGATORIES ON

RICHARD PERKINS' RETALIATION CLAIM AGAINST MICHAEL MARTELLI

Do you find from a preponderance of the evidence:

1. That Plaintiff Richard Perkins opposed racially discriminatory treatment by filing grievances and making reports to Defendant Michael Martelli?

Answer Yes or No _____

2. That Plaintiff Richard Perkins was discharged from his employment by Defendant Michael Martelli?

Answer Yes or No _____

3. That Defendant Michael Martelli discharged Plaintiff Richard Perkins from his employment because he opposed racially discriminatory treatment?

Answer Yes or No _____

Note: If you answered No any of the above questions, you need not answer the remaining questions.

4. That Plaintiff Richard Perkins should be awarded damages to compensate for a net loss of wages and benefits to the date of trial?

Answer Yes or No _____

If your answer is "yes", in what amount? \$ 26,697⁰⁰

5. That Plaintiff Richard Perkins should be awarded damages to compensate for emotional pain and mental anguish?

Answer Yes or No _____

If your answer is Yes, in what amount? \$ 50,000⁰⁰

6. (a) That Defendant Michael Martelli acted with malice or reckless indifference to the Plaintiff Richard Perkins' federally protected rights?

Answer Yes or No _____

(b) If your answer is Yes, that Defendant Michael Martelli himself had not acted in a good faith attempt to comply with the law?

Answer Yes or No _____

(c) If your answer is Yes, what amount of punitive damages, if any, should be assessed against Defendant Michael Martelli?

\$ 150,000⁰⁰

SPECIAL INTERROGATORIES ON
RICHARD MILLER'S RETALIATION CLAIM AGAINST
DEFENDANT FEDERAL FRUIT AND PRODUCE

Do you find from a preponderance of the evidence:

1. That Plaintiff Richard Miller opposed racially discriminatory treatment by reporting racially discriminatory treatment to Angel Mondragon?

Answer Yes or No _____

2. That Plaintiff Richard Miller opposed racially discriminatory treatment by testifying in Roberto Villa Moreno's arbitration?

Answer Yes or No _____

3. That a higher management official at Defendant Federal Fruit and Produce discharged Plaintiff Richard Miller?

Answer Yes or No _____

4. That a higher management official of Defendant Federal Fruit and Produce Michael Martelli discharged Plaintiff Richard Miller because he opposed racially discriminatory treatment?

Answer Yes or No _____

Note: If you answered "no" to any of the above questions, you need not answer the remaining questions.

5. That Plaintiff Richard Miller should be awarded damages to compensate for emotional pain and mental anguish?

Answer Yes or No _____

If your answer is "yes", in what amount? \$ 50,000

6. (a) That Defendant Michael Martelli acted with malice or reckless indifference to the Plaintiff Richard Miller's federally protected rights?

Answer Yes or No _____

(b) If your answer is "yes", that a higher management official of Defendant Federal Fruit and Produce had not acted in a good faith attempt to comply with the law?

Answer Yes or No _____

(c) If your answer is "yes", what amount of punitive damages, if any, should be assessed against Defendant Federal Fruit and Produce? \$ 50,000

SPECIAL INTERROGATORIES ON

RICHARD MILLER'S RETALIATION CLAIM AGAINST MICHAEL MARTELLI

Do you find from a preponderance of the evidence:

1. That Plaintiff Richard Miller opposed racially discriminatory treatment by reporting racially discriminatory treatment to Angel Mondragon?

Answer Yes or No _____

2. That Plaintiff Richard Miller opposed racially discriminatory treatment by testifying in Roberto Villa Moreno's arbitration?

Answer Yes or No _____

3. That Defendant Michael Martelli discharged Plaintiff Richard Miller?

Answer Yes or No _____

4. That Defendant Michael Martelli discharged Plaintiff Richard Miller because he opposed racially discriminatory treatment?

Answer Yes or No _____

Note: If you answered No any of the above questions, you need not answer the remaining questions.

6. (a) That Defendant Michael Martelli acted with malice or reckless indifference to the Plaintiff Richard Miller's federally protected rights?

Answer Yes or No _____

(b) If your answer is Yes, that Defendant Michael Martelli had not acted in a good faith attempt to comply with the law?

Answer Yes or No _____

(c) If your answer is "yes", what amount of punitive damages, if any, should be assessed against

Defendant Michael Martelli? \$ 200,000⁰⁰