

MAY 17 2018

BY *M*
Deputy Clerk

1 HON. RENÉ AUGUSTE CHOUTEAU
2 JUDGE OF THE SUPERIOR COURT
3 Courtroom 18
4 3055 Cleveland Avenue
5 Santa Rosa, CA 95403
6 (707) 521-6730

7 SUPERIOR COURT OF CALIFORNIA, COUNTY OF SONOMA

8 VIRGINIA PHY,

Case No. SCV-260496

9 Plaintiff,

10 v.

SPECIAL VERDICT FORM

11 DANIELS CHAPEL OF THE ROSES
12 FUNERAL HOME AND CREMATORY,
13 INC., and DOES 1-50,

Defendant.

14 We answer the questions submitted to us as follows:

15 1. Was Virginia Phy's age a substantial motivating reason for Daniels Chapel
16 of the Roses' decision to terminate Virginia Phy?

17 X Yes _____ No

18 If your answer to question 1 is yes, then answer question 2. If you answered no,
19 stop here, answer no further questions, and have the presiding juror sign and date this
20 form.

21 2. Was Virginia Phy's job performance, including attitude and acts of
22 insubordination, also a substantial motivating reason for Daniels Chapel of the Roses'
23 termination of Virginia Phy?

24 X Yes _____ No

25 If your answer to question 2 is yes, then answer question 3. If you answered no,
26 skip question 3 and answer question 4.

27 3. Would Daniels Chapel of the Roses have terminated Virginia Phy anyway
28 at that time based on Virginia Phy's job performance, including attitude and acts of

1 insubordination, had Daniels Chapel of the Roses not also been substantially motivated
2 by Virginia Phy's age?

3 _____ Yes No

4 If your answer to question 3 is no, then answer question 4. If you answered yes,
5 stop here, answer no further questions, and have the presiding juror sign and date this
6 form.

7 4. Was Daniels Chapel of the Roses' termination of Virginia Phy a
8 substantial factor in causing harm to Virginia Phy?

9 Yes _____ No

10 If your answer to question 4 is no, then stop here, answer no further questions,
11 and have the presiding juror sign and date this form. If you answered yes, then answer
12 question 5.

13 5. What are Virginia Phy's damages?

14 a. Past lost earnings: \$ 115,031.20

15 b. Future lost earnings: \$ 112,860.80

16 c. Past loss for pain and suffering: \$ 85,000

17 d. Future loss for pain and suffering: \$ 0

18 TOTAL \$ 312,892.00

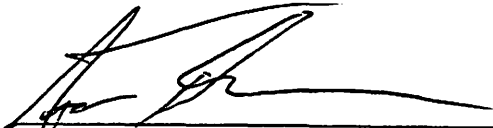
19 After answering question 5, answer question 6.

20 6. Did Daniels Chapel of the Roses engage in the discriminatory conduct
21 (terminating Virginia Phy) with malice, oppression, or fraud?

22 _____ Yes No

23 Have the presiding juror date and sign this form.

24
25 Dated: 05-17-18

Signed: 
Presiding Juror

26
27 After this verdict form has been signed, notify the clerk that you are ready to present
28 your verdict in the courtroom.