

FILED
U.S. DISTRICT COURT
DISTRICT OF NEBRASKA

2023 JUN -9 PM 4:42

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

EQUAL EMPLOYMENT
OPPORTUNITY COMMISSION,

Plaintiff,

and

ANDREW DEUSCHLE,

Intervenor Plaintiff,

vs.

WERNER ENTERPRISES, INC.,

Defendant.

8:18-CV-329

VERDICT FORM

Finding #1: Failure to Hire

On the plaintiffs' failure-to-hire claim against Werner Enterprises, as instructed in Instruction #9, we find in favor of:

The plaintiffs, the EEOC and Andrew Deuschle.

The defendant, Werner Enterprises, Inc.

(Mark an 'X' in the appropriate space.)

Answer Finding #2 only if you find in favor of the plaintiffs on Finding #1. If you found in favor of Werner Enterprises, you have completed your deliberations and may sign and date the verdict form.

Finding #2: Business Necessity Defense

On Werner Enterprises' business necessity affirmative defense, as instructed in Instruction #10, we find in favor of:

_____ The plaintiffs, the EEOC and Andrew Deuschle.

_____ The defendant, Werner Enterprises, Inc.

(Mark an 'X' in the appropriate space.)

Answer Finding #3 and Finding #4 only if you find in favor of the plaintiffs on Finding #1 and Finding #2. If you found in favor of Werner Enterprises, you have completed your deliberations and may sign and date the verdict form.

Finding #3: Actual Damages

What is the total amount of damages, if any, that will fairly and reasonably compensate Mr. Deuschle for his emotional pain, suffering, inconvenience, mental anguish, and loss of enjoyment of life, as instructed in Instruction #11?

\$_____.

Finding #4: Punitive Damages

What is the amount of punitive damages, if any, for malice or reckless indifference to Mr. Deuschle's right not to be discriminated against on the basis of a disability, as instructed in Instruction #12?

\$_____.

EXECUTION OF VERDICT FORM

The foreperson shall sign and date the verdict form, and such signature shall mean that the verdict of the jury was unanimous.

Dated this 9th day of June, 2023.
