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Hon. David G. Estudillo

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON AT TACOMA

JULIE BALLOU,

Plaintiff,

vs.

JAMES McELVAIN, P.H.D., in his
individual and representative capacity; and
CITY OF VANCOUVER, a municipal
corporation,

Defendants.

No. 3:19-cv-05002-DGE

VERDICT FORM

WE, THE JURY, do hereby render our verdict as follows:

DISCRIMINATION CLAIMS

1. On Plaintiff's claim for sex discrimination under Title VII of the Civil Rights Act of 1964, was Plaintiff discriminated against because of her sex?

Yes No

Answer Question 2.

2. On Plaintiff's sex discrimination claim under the Washington Law Against Discrimination, was Plaintiff subjected to disparate treatment discrimination against because of her sex?

Yes No

Answer Question 3.

ORIGINAL

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2 3. On Plaintiff's sex discrimination in violation of the Equal Protection Clause of the
3 Fourteenth Amendment against James McElvain and the City of Vancouver, was Plaintiff
4 discriminated against because of her sex?

5 Yes No

6 *Answer Question 4.*

7
8 **RETALIATION CLAIMS**

9 4. Did the Defendant City of Vancouver violate Title VII of the Civil Rights Act of
10 1964 by retaliating against Plaintiff because she opposed sex discrimination?

11 Yes No

12 *Answer Question 5.*

13 5. Did the Defendant City of Vancouver violate the Washington Law Against
14 Discrimination by retaliating against Plaintiff because she opposed sex discrimination?

15 Yes No

16 *Answer Question 6.*

17 6. Did the Defendant James McElvain violate Plaintiff's First Amendment rights by
18 retaliating against Plaintiff because she petitioned the government for redress of her
19 grievances?

20 Yes No

21 *If you answered any one of questions 1 through 6 "yes," answer question 7. If you answered*
22 *every one of questions 1 through 6 "no," the Presiding Juror should sign and date this Verdict*
23 *Form.*

1
2 7. Since you found a Defendant or Defendants discriminated or retaliated against
3 Plaintiff for one or more of the adverse actions identified above, what are Plaintiff damages for
4 each of the adverse actions you found to be unlawful? Please note that the parties have
5 stipulated as to the amount of economic damages through trial. If you did not find the specific
6 adverse action listed to be unlawful, write "NA."

7 (a): Subjecting Plaintiff to investigations

8 Non-Economic Damages \$ N/A

9 Punitive Damages (as to McElvain only) \$ N/A

10 (b): Denying Plaintiff promotion in July 2018:

11 Non-Economic Damages \$ N/A

12 Punitive Damages (as to McElvain only) \$ N/A

13 (c): Denying Plaintiff promotion in October 2018:

14 Non-Economic Damages \$ N/A

15 Punitive Damages (as to McElvain only) \$ N/A

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(d): Denying Plaintiff promotion in January 2019:

Non-Economic Damages \$ 15,456.20

Punitive Damages (as to McElvain only) \$ N/A

The Presiding Juror should sign and date this Verdict Form

DATED this 22 day of November, 2023.

Presiding 