

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON  
FOR KING COUNTY

MARIA LUISA JOHNSON, CARMELIA  
DAVIS-RAINES, CHERYL MUSKELLY,  
PAULINE ROBINSON, ELAINE SEAY-  
DAVIS, TONI WILLIAMSON, AND LYNDA  
JONES

Plaintiffs,

vs.

SEATTLE PUBLIC UTILITIES, a department  
of the CITY OF SEATTLE, a municipality,

Defendant.

No. 15-2-03013-2 SEA

**COURT'S INSTRUCTIONS TO THE  
JURY**

COURT'S INSTRUCTIONS TO THE JURY

Dated: \_\_\_\_\_

\_\_\_\_\_  
The Honorable Suzanne Parisien

1  
2 INSTRUCTION NO. 1  
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4 It is your duty to decide the facts in this case based upon the evidence presented to you  
5 during this trial. It also is your duty to accept the law as I explain it to you, regardless of what  
6 you personally believe the law is or what you personally think it should be. You must apply  
7 the law from my instructions to the facts that you decide have been proved, and in this way  
8 decide the case.

9 The evidence that you are to consider during your deliberations consists of the  
10 testimony that you have heard from witnesses and the exhibits that I have admitted during the  
11 trial. If evidence was not admitted or was stricken from the record, then you are not to  
12 consider it in reaching your verdict.

13 Exhibits may have been marked by the court clerk and given a number, but they do not  
14 go with you to the jury room during your deliberations unless they have been admitted into  
15 evidence. The exhibits that have been admitted will be available to you in the jury room.

16 In order to decide whether any party's claim has been proved, you must consider all of  
17 the evidence that I have admitted that relates to that claim. Each party is entitled to the benefit  
18 of all of the evidence, whether or not that party introduced it.

19 You are the sole judges of the credibility of the witness. You are also the sole judges of  
20 the value or weight to be given to the testimony of each witness. In considering a witness's  
21 testimony, you may consider these things: the opportunity of the witness to observe or know  
22 the things they testify about; the ability of the witness to observe accurately; the quality of a  
23 witness's memory while testifying; the manner of the witness while testifying; any personal  
24 interest that the witness might have in the outcome or the issues; any bias or prejudice that the  
25 witness may have shown; the reasonableness of the witness's statements in the context of all of  
the other evidence; and any other factors that affect your evaluation or belief of a witness or  
your evaluation of his or her testimony.

One of my duties has been to rule on the admissibility of evidence. Do not be  
concerned during your deliberations about the reasons for my rulings on the evidence. If I

1 have ruled that any evidence is inadmissible, or if I have asked you to disregard any evidence,  
2 then you must not discuss that evidence during your deliberations or consider it in reaching  
3 your verdict.

4 The law does not permit me to comment on the evidence in any way. I would be  
5 commenting on the evidence if I indicated my personal opinion about the value of testimony or  
6 other evidence. Although I have not intentionally done so, if it appears to you that I have  
7 indicated my personal opinion, either during trial or in giving these instructions, you must  
8 disregard it entirely.

9 As to the comments of the lawyers during this trial, they are intended to help you  
10 understand the evidence and apply the law. However, it is important for you to remember that  
11 the lawyers' remarks, statements, and arguments are not evidence. You should disregard any  
12 remark, statement, or argument that is not supported by the evidence or the law as I have  
13 explained it to you.

14 You may have heard objections made by the lawyers during trial. Each party has the  
15 right to object to questions asked by another lawyer, and may have a duty to do so. These  
16 objections should not influence you. Do not make any assumptions or draw any conclusions  
17 based on a lawyer's objections.

18 As jurors, you have a duty to consult with one another and to deliberate with the  
19 intention of reaching a verdict. Each of you must decide the case for yourself, but only after an  
20 impartial consideration of all of the evidence with your fellow jurors. Listen to one another  
21 carefully. In the course of your deliberations, you should not hesitate to re-examine your own  
22 views and to change your opinion based upon the evidence. You should not surrender your  
23 honest convictions about the value or significance of evidence solely because of the opinions  
24 of your fellow jurors. Nor should you change your mind just for the purpose of obtaining  
25 enough votes for a verdict.

As jurors, you are officers of this court. You must not let your emotions overcome  
your rational thought process. You must reach your decision based on the facts proved to you  
and on the law given to you, not on sympathy, bias, or personal preference. To assure that all

1 parties receive a fair trial, you must act impartially with an earnest desire to reach a proper  
2 verdict.

3           Finally, the order of these instructions has no significance as to their relative  
4 importance. They are all equally important. In closing arguments, the lawyers may properly  
5 discuss specific instructions, but you must not attach any special significance to a particular  
6 instruction that they may discuss. During your deliberations, you must consider the  
7 instructions as a whole.

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INSTRUCTION NO. 2

When it is said that a party has the burden of proof on any proposition, or that any proposition must be proved by a preponderance of the evidence, or the expression "if you find" is used, it means that you must be persuaded, considering all the evidence in the case bearing on the question, that the proposition on which that party has the burden of proof is more probably true than not true.

INSTRUCTION NO. 3

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3       The evidence that has been presented to you may be either direct or circumstantial. The  
4 term "direct evidence" refers to evidence that is given by a witness who has directly perceived  
5 something at issue in this case. The term "circumstantial evidence" refers to evidence from  
6 which, based on your common sense and experience, you may reasonably infer something that  
7 is at issue in this case.

8       The law does not distinguish between direct and circumstantial evidence in terms of  
9 their weight or value in finding the facts in this case. One is not necessarily more or less  
10 valuable than the other.

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INSTRUCTION NO. 4

The City of Seattle is a municipality. Seattle Public Utilities is a department of the City. A municipality can act only through its officers and employees. Any act or omission of an officer or employee is the act or omission of the municipality.

The law treats all parties equally whether they are government entities or individuals. This means that government entities and individuals are to be treated in the same fair and unprejudiced manner.

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INSTRUCTION NO. 5

A witness who has special training, education, or experience may be allowed to express an opinion in addition to giving testimony as to facts.

You are not, however, required to accept his or her opinion. To determine the credibility and weight to be given to this type of evidence, you may consider, among other things, the education, training, experience, knowledge, and ability of the witness. You may also consider the reasons given for the opinion and the sources of his or her information, as well as considering the factors already given to you for evaluating the testimony of any other witness.



INSTRUCTION NO. 6

You should decide the case of each Plaintiff separately as if it were a separate lawsuit.  
The instructions apply to each Plaintiff unless a specific instruction states that it applies only to a specific Plaintiff.

INSTRUCTION NO. 7

Discrimination in employment on the basis of race or on the basis of age is prohibited. The law protects persons of color, which includes persons who are African and Asian Americans against race discrimination. The law also protects persons who are 40 years old and older against age discrimination.

To establish her "disparate treatment claim," each Plaintiff has the burden of proving each of the following propositions:

- (1) That SPU subjected her to an "adverse employment action;" and
- (2) That either her race or her age, or both, was a substantial factor in SPU's decision to subject her to that adverse employment action.

If you find from your consideration of all the evidence that each of the propositions stated above has been proved with respect to any particular Plaintiff, your verdict should be for that Plaintiff on this claim. On the other hand, if either of the propositions has not been proved with respect to any particular Plaintiff, your verdict should be for SPU on this claim.

INSTRUCTION NO. 8

An "adverse employment action" involves a change in employment conditions that is more than an inconvenience or alteration of job responsibilities. Being suspended, terminated, forced to retire, or in some circumstances, placed on administrative leave, can be adverse employment actions. However, yelling at an employee, threatening to fire an employee, or investigating an employee are not adverse employment actions

INSTRUCTION NO. 9

“Substantial factor” means a significant motivating factor in bringing about the employer’s decision. “Substantial factor” does not mean the only factor or the main factor in the challenged act or decision.

INSTRUCTION NO. 10

It is unlawful for an employer to retaliate against a person for opposing what the person reasonably believed to be discrimination on the basis of age or race. Five of the Plaintiffs (Ms. Davis-Raines, Ms. Jones, Ms. Muskelly, Ms. Robinson, and Ms. Williamson) claim that SPU unlawfully retaliated against them.

To establish a claim of unlawful retaliation by SPU, each of these five Plaintiffs has the burden of proving each of the following propositions:

- (1) That she opposed what she reasonably believed to be discrimination on the basis of age or race; and
- (2) That SPU took an “adverse employment action” against her; and
- (3) That her opposition to what she reasonably believed to be discrimination on the basis of age or race was a substantial factor in SPU’s decision to subject her to an “adverse employment action.”

If you find from your consideration of all of the evidence that either Ms. Davis-Raines, Ms. Jones, Ms. Muskelly, Ms. Robinson, or Ms. Williamson has proven each of the above propositions, then your verdict should be for that Plaintiff on this retaliation claim. On the other hand, if any one of these propositions has not been proved by Ms. Davis-Raines, Ms. Jones, Ms. Muskelly, Ms. Robinson, or Ms. Williamson, your verdict should be for SPU on that Plaintiff’s retaliation claim.

Ms. Davis-Raines, Ms. Jones, Ms. Muskelly, Ms. Robinson, or Ms. Williamson do not have to prove that their opposition was the only factor or the main factor in SPU’s decision, nor do they have to prove that there would not have been an adverse employment action but for their opposition.

INSTRUCTION NO. 11

Under the law, a forced retirement is equivalent to a termination. A retirement is involuntary or coerced if the employer deliberately makes working conditions so intolerable that a reasonable person would have felt compelled to retire in the circumstances.

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INSTRUCTION NO. 12

You will hear testimony that some of the plaintiffs left employment with the City without being terminated. If you find for such a plaintiff, you may award damages as though the plaintiff was terminated. A victim of discrimination need not remain in a discriminatory or retaliatory environment to obtain full damages.

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INSTRUCTION NO. 13

It is the duty of the court to instruct you as to the measure of damages. By instructing you on damages, the court does not mean to suggest for which party your verdict should be rendered.

If your verdict is for a Plaintiff, you must determine the amount of money that will reasonably and fairly compensate that Plaintiff for such damages as you find were proximately caused by the acts of the defendant, SPU.

If you find for a Plaintiff, you should consider the following elements:

- (1) The reasonable value of lost past earnings and fringe benefits, from the date of the wrongful conduct to the date of trial;
- (2) The reasonable value of lost future earnings and fringe benefits; and
- (3) The emotional harm to that Plaintiff caused by the Defendant's wrongful conduct, including emotional distress, loss of enjoyment of life, humiliation, embarrassment, fear, anxiety, and/or anguish, experienced and with reasonable probability to be experienced by the Plaintiff in the future.

The burden of proving damages rests with the party claiming them, and it is for you to determine, based upon the evidence, whether any particular element has been proved by a preponderance of the evidence.

Any award of damages must be based upon evidence and not upon speculation, guess, or conjecture. The law has not furnished us with any fixed standards by which to measure emotional distress, humiliation, embarrassment, fear, anxiety, and/or anguish. With reference to these matters, you must be governed by your own judgment, by the evidence in the case, and by these instructions.

You may not award damages to any Plaintiff for, and should not consider in your deliberations, any emotional distress, loss of enjoyment of life, humiliation, embarrassment, fear, anxiety, and/or anguish caused by bringing this lawsuit.



INSTRUCTION NO. 14

If liability is established, the term "proximate cause," when used in connection with whether a plaintiff has suffered damages as a result of discrimination and/or retaliation, means a cause which in a direct sequence unbroken by any superseding cause, produces the injury complained of and without which such injury would not have happened.

INSTRUCTION NO. 15

If you find for more than one Plaintiff, you should determine the damages of each Plaintiff separately.

INSTRUCTION NO. 16

In calculating damages for future wage loss you should determine the present cash value of salary, pension, and other fringe benefits from today through what you determine to be a reasonably certain period of time that does not exceed the likely duration of the terminated employment, which may or may not extend until the Plaintiff's retirement age.

INSTRUCTION NO. 17

Any award for future economic damages must be for the present cash value of those damages.

Noneconomic damages such as emotional distress, loss of enjoyment of life, humiliation, personal indignity, embarrassment, fear, anxiety, and/or anguish are not reduced to present cash value.

“Present cash value” means the sum of money needed now which, if invested at a reasonable rate of return, would equal the amount of loss at the time in the future when the earnings would have been received.

The rate of interest to be applied in determining present cash value should be that rate which in your judgment is reasonable under all the circumstances. In this regard, you should take into consideration the prevailing rates of interest in the area that can reasonably be expected from safe investments that a person of ordinary prudence, but without particular financial experience or skill, can make in this locality.

In determining present cash value, you may also consider decreases in value of money that may be caused by future inflation.

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2 **INSTRUCTION NO. 18**  
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4 When you begin to deliberate, your first duty is to select a presiding juror. The  
5 presiding juror's responsibility is to see that you discuss the issues in this case in an orderly and  
6 reasonable manner, that you discuss each issue submitted for your decision fully and fairly, and  
7 that each one of you has a chance to be heard on every question before you.  
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9 You will be given the exhibits admitted in evidence, these instructions, and verdict  
10 forms for recording your verdict. Exhibits may have been marked by the court clerk and given  
11 a number, but they do not go with you to the jury room during your deliberations unless they  
12 have been admitted into evidence. The exhibits that have been admitted will be available to  
13 you in the jury room.  
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15 During your deliberations, you may discuss any notes that you have taken during the  
16 trial, if you wish. You have been allowed to take notes to assist you in remembering clearly,  
17 not to substitute for your memory or the memories or notes of other jurors. Do not assume,  
18 however, that your notes are more or less accurate than your memory.

19 You will need to rely on your notes and memory as to the testimony presented in this  
20 case. Testimony will rarely, if ever, be repeated for you during your deliberations.

21 If, after carefully reviewing the evidence and instructions, you feel a need to ask the  
22 court a legal or procedural question that you have been unable to answer, write the question out  
23 simply and clearly. For this purpose, use the form provided in the jury room. In your question,  
24 do not state how the jury has voted, or in any other way indicate how your deliberations are  
25 proceeding. The presiding juror should sign and date the question and give it to the bailiff. I  
will confer with the lawyers to determine what response, if any, can be given.

In order to reach a verdict *TEN* of you must agree. When *TEN* of you have agreed, then

1 the presiding juror will fill in the verdict form. The presiding juror must sign the verdict  
2 whether or not the presiding juror agrees with it. The presiding juror will then inform the  
3 bailiff that you have reached a verdict. The bailiff will conduct you back into this courtroom  
4 where the verdict will be announced.

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IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON  
FOR KING COUNTY

MARIA LUISA JOHNSON, CARMELIA  
DAVIS-RAINES, CHERYL MUSKELLY,  
PAULINE ROBINSON, ELAINE SEAY-  
DAVIS, TONI WILLIAMSON, and LYNDA  
JONES,

Plaintiffs,

vs.

SEATTLE PUBLIC UTILITIES, a department  
of the CITY OF SEATTLE, a municipality,

Defendant.

No. 15-2-03013-2 SEA

**GENERAL VERDICT FORM FOR  
PLAINTIFF CARMELIA DAVIS-  
RAINES**

We, the jury, make the following answers to the questions submitted by the Court:

**Question No. 1:** Did Ms. Davis-Raines establish by a preponderance of the evidence that she suffered an adverse employment action?

Answer:

Yes

No

If you answered "**YES**" to *Question No. 1*, proceed to answer Questions Nos. 2, 3 and 4.

If you answered "**NO**" to *Question No. 1*, please sign and return this verdict form.

**Question No. 2:** Did Ms. Davis-Raines establish by a preponderance of the evidence that her *age* was a substantial factor in any adverse employment action that SPU took against her?

Answer:

Yes

No

**Question No. 3:** Did Ms. Davis-Raines establish by a preponderance of the evidence that her *race* was a substantial factor in any adverse employment action that SPU took against her?

Answer:

Yes

No

**Question No. 4:** Did Ms. Davis-Raines establish by a preponderance of the evidence that her opposing what she reasonably believed to be discrimination based on race was a substantial factor in SPU's decision to take an adverse employment action against her?

Answer:

Yes

No

If you answered "NO" to *each of the* Question Nos. 2, 3 and 4; please sign and return this verdict form.

If you answered "YES" to Questions No 1; and also answered "Yes" to any of the Question Nos. 2, 3 or 4, please determine what if any damages she suffered; otherwise, go on to the next plaintiff.



**Question No. 5:** Did she suffer damages proximately caused by the actions of the defendant?

ANSWER: \_\_\_\_\_ YES \_\_\_\_\_ NO

If you answered yes, please complete the next section; otherwise, go on to the next plaintiff.

A: Emotional Harm: \$ \_\_\_\_\_

Sign this verdict form and notify the bailiff.

Date: \_\_\_\_\_

\_\_\_\_\_  
Presiding Juror

\_\_\_\_\_  
Print Name

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON  
FOR KING COUNTY

MARIA LUISA JOHNSON, CARMELIA  
DAVIS-RAINES, CHERYL MUSKELLY,  
PAULINE ROBINSON, ELAINE SEAY-  
DAVIS, TONI WILLIAMSON, and LYNDA  
JONES,

Plaintiffs,

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SEATTLE PUBLIC UTILITIES, a department  
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Defendant.

No. 15-2-03013-2 SEA

**GENERAL VERDICT FORM FOR  
PLAINTIFF CHERYL MUSKELLY**

We, the jury, make the following answers to the questions submitted by the Court:

**Question No. 1:** Did Ms. Muskelly establish by a preponderance of the evidence that she suffered an adverse employment action?

Answer:

- Yes  
 No

If you answered "**YES**" to *Question No. 1*, proceed to answer Questions Nos. 2, 3 and 4.

If you answered "**NO**" to *Question No. 1*, please sign and return this verdict form.

**Question No. 2:** Did Ms. Muskelly establish by a preponderance of the evidence that her *age* was a substantial factor in any adverse employment action that SPU took against her?

Answer:

- Yes
- No

**Question No. 3:** Did Ms. Muskelly establish by a preponderance of the evidence that her *race* was a substantial factor in any adverse employment action that SPU took against her?

Answer:

- Yes
- No

**Question No. 4:** Did Ms. Muskelly establish by a preponderance of the evidence that her opposing what she reasonably believed to be discrimination based on race was a substantial factor in SPU's decision to take an adverse employment action against her?

Answer:

- Yes
- No

If you answered "NO" to *each of the* Question Nos. 2, 3 and 4; please sign and return this verdict form.

If you answered "YES" to Questions No 1; and also answered "Yes" to any of the Question Nos. 2, 3 or 4, please determine what if any damages she suffered; otherwise, go on to the next plaintiff.

**Question No. 5:** Did she suffer damages proximately caused by the actions of the defendant?

ANSWER: \_\_\_\_\_ YES \_\_\_\_\_ NO

If you answered yes, please complete the next section; otherwise, go on to the next plaintiff.

A: Back Pay: \$ \_\_\_\_\_

B: Front Pay: \$ \_\_\_\_\_

C: Lost Benefits: \$ \_\_\_\_\_

D: Emotional Harm: \$ \_\_\_\_\_

Sign this verdict form and notify the bailiff.

Date: \_\_\_\_\_

\_\_\_\_\_  
Presiding Juror

\_\_\_\_\_  
Print Name

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON  
FOR KING COUNTY

MARIA LUISA JOHNSON, CARMELIA  
DAVIS-RAINES, CHERYL MUSKELLY,  
PAULINE ROBINSON, ELAINE SEAY-  
DAVIS, TONI WILLIAMSON, and LYNDA  
JONES,

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SEATTLE PUBLIC UTILITIES, a department  
of the CITY OF SEATTLE, a municipality,

Defendant.

No. 15-2-03013-2 SEA

**GENERAL VERDICT FORM FOR  
PLAINTIFF TONI WILLIAMSON**

We, the jury, make the following answers to the questions submitted by the Court:

**Question No. 1:** Did Ms. Williamson establish by a preponderance of the evidence that she suffered an adverse employment action?

Answer:

- Yes  
 No

If you answered "**YES**" to *Question No. 1*, proceed to answer Questions Nos. 2, 3 and 4.

If you answered "**NO**" to *Question No. 1*, please sign and return this verdict form.

**Question No. 2:** Did Ms. Williamson establish by a preponderance of the evidence that her *age* was a substantial factor in any adverse employment action that SPU took against her?

Answer:

Yes

No

**Question No. 3:** Did Ms. Williamson establish by a preponderance of the evidence that her *race* was a substantial factor in any adverse employment action that SPU took against her?

Answer:

Yes

No

**Question No. 4:** Did Ms. Williamson establish by a preponderance of the evidence that her opposing what she reasonably believed to be discrimination based on race was a substantial factor in SPU's decision to take an adverse employment action against her?

Answer:

Yes

No

If you answered "NO" to *each of the* Question Nos. 2, 3 and 4; please sign and return this verdict form.

If you answered "YES" to Questions No 1: and also answered "Yes" to any of the Question Nos. 2, 3 or 4, please determine what if any damages she suffered; otherwise, go on to the next plaintiff.

**Question No. 5:** Did she suffer damages proximately caused by the actions of the defendant?

ANSWER: \_\_\_\_\_ YES \_\_\_\_\_ NO

If you answered yes, please complete the next section; otherwise, go on to the next plaintiff.

Emotional Harm:     \$ \_\_\_\_\_

Sign this verdict form and notify the bailiff.

Date: \_\_\_\_\_

\_\_\_\_\_  
Presiding Juror

\_\_\_\_\_  
Print Name

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON  
FOR KING COUNTY

MARIA LUISA JOHNSON, CARMELIA  
DAVIS-RAINES, CHERYL MUSKELLY,  
PAULINE ROBINSON, ELAINE SEAY-  
DAVIS, TONI WILLIAMSON, and LYNDA  
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Defendant.

No. 15-2-03013-2 SEA

**GENERAL VERDICT FORM FOR  
PLAINTIFF LYNDA JONES**

We, the jury, make the following answers to the questions submitted by the Court:

**Question No. 1:** Did Ms. Jones establish by a preponderance of the evidence that she suffered an adverse employment action?

Answer:

Yes

No

If you answered "**YES**" to *Question No. 1*, proceed to answer Questions Nos. 2, 3 and 4.

If you answered "**NO**" to *Question No. 1*, please sign and return this verdict form.



**Question No. 2:** Did Ms. Jones establish by a preponderance of the evidence that her *age* was a substantial factor in any adverse employment action that SPU took against her?

Answer:

Yes

No

**Question No. 3:** Did Ms. Jones establish by a preponderance of the evidence that her *race* was a substantial factor in any adverse employment action that SPU took against her?

Answer:

Yes

No

**Question No. 4:** Did Ms. Jones establish by a preponderance of the evidence that her opposing what she reasonably believed to be discrimination based on race was a substantial factor in SPU's decision to take an adverse employment action against her?

Answer:

Yes

No

If you answered "NO" to *each of the* Question Nos. 2, 3 and 4; please sign and return this verdict form.

If you answered "YES" to Questions No 1; and also answered "Yes" to any of the Question Nos. 2, 3 or 4, please determine what if any damages she suffered; otherwise, go on to the next plaintiff.

**Question No. 5:** Did she suffer damages proximately caused by the actions of the defendant?

ANSWER: \_\_\_\_\_ YES \_\_\_\_\_ NO

If you answered yes, please complete the next section; otherwise, go on to the next plaintiff.

A: Emotional Harm: \$ \_\_\_\_\_

Sign this verdict form and notify the bailiff.

Date: \_\_\_\_\_

\_\_\_\_\_  
Presiding Juror

\_\_\_\_\_  
Print Name

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON  
FOR KING COUNTY

MARIA LUISA JOHNSON, CARMELIA  
DAVIS-RAINES, CHERYL MUSKELLY,  
PAULINE ROBINSON, ELAINE SEAY-  
DAVIS, TONI WILLIAMSON, and LYNDA  
JONES,

Plaintiffs,

vs.

SEATTLE PUBLIC UTILITIES, a department  
of the CITY OF SEATTLE, a municipality,

Defendant.

No. 15-2-03013-2 SEA

**GENERAL VERDICT FORM FOR  
PLAINTIFF MARIA LUISA JOHNSON**

We, the jury, make the following answers to the questions submitted by the Court:

**Question No. 1:** Did Ms. Johnson establish by a preponderance of the evidence that she suffered an adverse employment action?

Answer:

- Yes  
 No

If you answered "**YES**" to *Question No. 1*, proceed to answer Questions Nos. 2, 3 and 4.

If you answered "**NO**" to *Question No. 1*, please sign and return this verdict form.

**Question No. 2:** Did Ms. Johnson establish by a preponderance of the evidence that her *age* was a substantial factor in any adverse employment action that SPU took against her?

Answer:

- Yes
- No

**Question No. 3:** Did Ms. Johnson establish by a preponderance of the evidence that her *race* was a substantial factor in any adverse employment action that SPU took against her?

Answer:

- Yes
- No

**Question No. 4:** Did she suffer damages proximately caused by the actions of the defendant?

ANSWER: \_\_\_\_\_ YES \_\_\_\_\_ NO

If you answered yes, please complete the next section; otherwise, go on to the next plaintiff.

- A: Back Pay: \$ \_\_\_\_\_
- B: Front Pay: \$ \_\_\_\_\_
- C: Lost Benefits: \$ \_\_\_\_\_
- D: Emotional Harm: \$ \_\_\_\_\_

Sign this verdict form and notify the bailiff.

Date: \_\_\_\_\_

\_\_\_\_\_  
Presiding Juror

\_\_\_\_\_  
Print Name

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON  
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MARIA LUISA JOHNSON, CARMELIA  
DAVIS-RAINES, CHERYL MUSKELLY,  
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SEATTLE PUBLIC UTILITIES, a department  
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Defendant.

No. 15-2-03013-2 SEA

**GENERAL VERDICT FORM FOR  
PLAINTIFF PAULINE ROBINSON**

We, the jury, make the following answers to the questions submitted by the Court:

**Question No. 1:** Did Ms. Robinson establish by a preponderance of the evidence that she suffered an adverse employment action?

Answer:

- Yes  
 No

If you answered **"YES"** to *Question No. 1*, proceed to answer Questions Nos. 2, 3 and 4.

If you answered **"NO"** to *Question No. 1*, please sign and return this verdict form.

**Question No. 2:** Did Ms. Robinson establish by a preponderance of the evidence that her *age* was a substantial factor in any adverse employment action that SPU took against her?

Answer:

- Yes
- No

**Question No. 3:** Did Ms. Robinson establish by a preponderance of the evidence that her *race* was a substantial factor in any adverse employment action that SPU took against her?

Answer:

- Yes
- No

**Question No. 4:** Did Ms. Robinson establish by a preponderance of the evidence that her opposing what she reasonably believed to be discrimination based on race was a substantial factor in SPU's decision to take an adverse employment action against her?

Answer:

- Yes
- No

If you answered "NO" to *each of the* Question Nos. 2, 3 and 4; please sign and return this verdict form.

If you answered "YES" to Questions No 1; and also answered "Yes" to any of the Question Nos. 2, 3 or 4, please determine what if any damages she suffered; otherwise, go on to the next plaintiff.

**Question No. 5:** Did she suffer damages proximately caused by the actions of the defendant?

ANSWER: \_\_\_\_\_ YES \_\_\_\_\_ NO

If you answered yes, please complete the next section; otherwise, go on to the next plaintiff.

A: Back Pay: \$ \_\_\_\_\_

B: Front Pay: \$ \_\_\_\_\_

C: Emotional Harm: \$ \_\_\_\_\_

Sign this verdict form and notify the bailiff.

Date: \_\_\_\_\_

\_\_\_\_\_  
Presiding Juror

\_\_\_\_\_  
Print Name

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON  
FOR KING COUNTY

MARIA LUISA JOHNSON, CARMELIA  
DAVIS-RAINES, CHERYL MUSKELLY,  
PAULINE ROBINSON, ELAINE SEAY-  
DAVIS, TONI WILLIAMSON, and LYNDA  
JONES,

Plaintiffs,

vs.

SEATTLE PUBLIC UTILITIES, a department  
of the CITY OF SEATTLE, a municipality,

Defendant.

No. 15-2-03013-2 SEA

**GENERAL VERDICT FORM FOR  
PLAINTIFF ELAINE SEAY-DAVIS**

We, the jury, make the following answers to the questions submitted by the Court:

**Question No. 1:** Did Ms. Seay-Davis establish by a preponderance of the evidence that she suffered an adverse employment action?

Answer:

- Yes  
 No

If you answered "**YES**" to *Question No. 1*, proceed to answer Questions Nos. 2, 3 and 4.

If you answered "**NO**" to *Question No. 1*, please sign and return this verdict form.



**Question No. 2:** Did Ms. Seay-Davis establish by a preponderance of the evidence that her *age* was a substantial factor in any adverse employment action that SPU took against her?

Answer:

Yes

No

**Question No. 3:** Did Ms. Seay-Davis establish by a preponderance of the evidence that her *race* was a substantial factor in any adverse employment action that SPU took against her?

Answer:

Yes

No

**Question No. 4:** Did she suffer damages proximately caused by the actions of the defendant?

ANSWER: \_\_\_\_\_ YES \_\_\_\_\_ NO

If you answered yes, please complete the next section; otherwise, go on to the next plaintiff.

A: Back Pay: \$ \_\_\_\_\_

B: Front Pay: \$ \_\_\_\_\_

C: Emotional Harm: \$ \_\_\_\_\_

Sign this verdict form and notify the bailiff.

Date: \_\_\_\_\_

\_\_\_\_\_  
Presiding Juror

\_\_\_\_\_  
Print Name