

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

Case No. 1:21-cv-23267-KMM

VICTOR SEPULVEDA,

Plaintiff,

v.

CITY OF DORAL, *et al.*,

Defendants.

VERDICT

We, the jury, return the following verdict:

1. Did any of the following Defendants intentionally commit acts that violated Victor Sepulveda's constitutional right not to be subjected to excessive or unreasonable force during an arrest? If so, which one(s)?

Defendant Alberto Tellez:	Yes <u>✓</u>	No _____
Defendant Michael Acosta:	Yes <u>✓</u>	No _____
Defendant Javier Diaz:	Yes <u>✓</u>	No _____

If your answer to question 1 is NO as to all listed Defendants, your verdict is for Defendants, and you should not proceed further except to date and sign this verdict form and return it to the courtroom.

If your answer to question 1 is YES as to any listed Defendant, please answer question 2.

2. Did any of the following Defendants commit battery against Victor Sepulveda during his arrest? If so, which one(s)?

Defendant Alberto Tellez:	Yes <u>✓</u>	No _____
Defendant Michael Acosta:	Yes <u>✓</u>	No _____
Defendant Javier Diaz:	Yes <u>✓</u>	No _____

If your answer to questions 1 and 2 are NO as to all listed Defendants, your verdict is for Defendants, and you should not proceed further except to date and sign this verdict form and return it to the courtroom.

If your answer to question 2 is YES as to any listed Defendant, please answer question 3.

3. Did any of the following Defendants, while committing a battery against Victor Sepulveda, act in bad faith or with malicious purpose or in a manner exhibiting wanton and willful disregard of human rights, safety, or property? If so, which one(s)?

Defendant Alberto Tellez:	Yes <u>✓</u>	No <u> </u>
Defendant Michael Acosta:	Yes <u>✓</u>	No <u> </u>
Defendant Javier Diaz:	Yes <u>✓</u>	No <u> </u>

Please proceed to question 4.

4. Did any of the following Defendants (1) see another Defendant Officer use excessive force on Victor Sepulveda, (2) have a realistic opportunity to prevent harm from occurring, and (3) fail to take reasonable steps to prevent harm from occurring? If so, which one(s)?

Defendant Alberto Tellez:	Yes <u>✓</u>	No <u> </u>
Defendant Michael Acosta:	Yes <u>✓</u>	No <u> </u>
Defendant Javier Diaz:	Yes <u>✓</u>	No <u> </u>

Please proceed to question 5.

5. Did any of the following Defendants cause injury to Victor Sepulveda during his arrest? If so, which one(s)?

Defendant Alberto Tellez:	Yes <u>✓</u>	No <u> </u>
Defendant Michael Acosta:	Yes <u>✓</u>	No <u> </u>
Defendant Javier Diaz:	Yes <u>✓</u>	No <u> </u>

If your answer to question 5 is NO as to all listed Defendants, you award \$1.00 in nominal damages to Victor Sepulveda.

If your answer to question 5 is YES as to any listed Defendant, please answer question 6.

6. Please state the amount that will fairly compensate Victor Sepulveda for any injuries caused by Defendants' conduct:

a. Medical and psychological expenses and treatment in the past:

\$ 25,000

b. Medical and psychological expenses and treatment in the future:

\$ 50,000

c. Pain and suffering, disability, physical impairment, mental anguish, emotional distress, inconvenience, aggravation of a disease or physical defect, and loss of capacity for enjoyment of life sustained in the past:

\$ 250,000

d. Pain and suffering, disability, physical impairment, mental anguish, emotional distress, inconvenience, aggravation of a disease or physical defect, and loss of capacity for enjoyment of life sustained in the future:

\$ 275,000

TOTAL DAMAGES (sum of the amounts above)

\$ 600,000

Please date and sign this verdict form and return it to the courtroom.

SO, SAY WE ALL, this 1 day of September 2022.

FOREPERSON

Printed Name of Foreperson