

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

HAWA ABDA JAMA, et al.,	:	
	:	Civ. Action No. 97-cv-3093(DRD)
Plaintiff,	:	
	:	
v.	:	
	:	
ESMOR CORRECTIONAL SERVICES,	:	
et al.,	:	
	:	
Defendant.	:	

JURY QUESTIONNAIRE

ATCA Claim

1. Has Ms. Jama proved by a preponderance of the evidence her Alien Tort Claims Act claim against Esmor or any of the individual Defendants, Slattery, Staley, McClure and/or Lima?

Yes _____ No

[If your answer is "Yes", proceed to Questions 1A-1H. If your answer is "No," proceed to Question 2].

1A. Has Ms. Jama proved her ATCA claim against Esmor?

Yes _____ No _____

1B. Has Ms. Jama proved her ATCA claim against James Slattery?

Yes _____ No _____

1C. Has Ms. Jama proved her ATCA claim against Richard Staley?

Yes _____ No _____

1D. Has Ms. Jama proved her ATCA claim against Diane McClure?

Yes _____ No _____

1E. Has Ms. Jama proved her ATCA claim against John Lima?

Yes _____ No _____

1F. What is the amount of the compensatory damages to which Ms. Jama is entitled on account of her ATCA claim?

\$ _____

1G. Is Ms. Jama entitled to punitive damages against any Defendant found liable on her ATCA claim?

Yes _____ No _____

1H. If the answer to Question 1G is "yes," what is the amount of punitive damages, if any, to which Ms. Jama is entitled against:

Esmor \$

James Slattery \$

Richard Staley \$

Diane McClure \$

James Lima \$

RFRA Claim

2. Has Ms. Jama proved by a preponderance of the evidence her Religious Freedom Restoration Act claim against Esmor or any of the individual Defendants, Slattery, Staley, McClure and/or Lima?

Yes No

[If your answer is "Yes," proceed to Questions 2A-2I. If your answer is "No," proceed to Question 3].

2A. Has Ms. Jama proved her RFRA claim against Esmor?

Yes No

2B. Has Ms. Jama proved her RFRA claim against James Slattery?

Yes No

2C. Has Ms. Jama proved her RFRA claim against Richard Staley?

Yes No

2D. Has Ms. Jama proved her RFRA claim against Diane McClure?

Yes No

2E. Has Ms. Jama proved her RFRA claim against John Lima?

Yes ✓ No _____

2F. What is the amount of compensatory damages to which Ms. Jama is entitled on account of her RFRA claim alone, without considering damages on account of any other claim on which you found a Defendant liable?

\$ 1.00

2G. Was the amount of the damages awarded on the RFRA claim included in the amount of damages awarded on any other claim, and, if so, which claims?

ATCA claim	Yes _____	No <u>✓</u>
Negligence Claim #1	Yes <u>✓</u>	No <u>✓</u>
Negligence Claim #2	Yes _____	No <u>✓</u>

[You may wish to answer this question after answering Questions 3 and 4].

2H. Is Ms. Jama entitled to punitive damages against any Defendant found liable on her RFRA claim?

Yes _____ No X

2I. If the answer to Question 2H is "Yes," what is the amount of punitive damages, if any, to which Ms. Jama is entitled on her RFRA against:

Esmor	\$
James Slattery	\$
Richard Staley	\$
Diane McClure	\$

James Lima §

Negligence Claim #1

3. Has Ms. Jama proved by a preponderance of the evidence her claim of negligent hiring, training, supervision and/or retention of guards against Esmor or any of the individual Defendants, Slattery, Staley, McClure and/or Lima?

Yes No

[If your answer is "Yes," proceed to Questions 3A-3F. If your answer is "No," proceed to Question 4]

3A. Has Ms. Jama proved her negligence #1 claim against Esmor?

Yes No

3B. Has Ms. Jama proved her negligence #1 claim against James Slattery?

Yes No

3C. Has Ms. Jama proved her negligence #1 claim against Richard Staley?

Yes No

3D. Has Ms. Jama proved her negligence #1 claim against Diane McClure?

Yes No

3E. Has Ms. Jama proved her negligence #1 claim against John Lima?

Yes No

3F. What is the amount of the compensatory damages to which Ms. Jama is entitled on account of her negligence #1 claim?

~~XXXXXXXXXX~~

\$ \$100,000

Negligence Claim #2

4. Has Ms. Jama proved by a preponderance of the evidence her claim of negligent hiring of Willard Stovall and John Lima by Esmor or any of the individual Defendants Slattery, Staley and/or McClure?

Yes _____ No X

[If your answer is "Yes," proceed to Questions 4A-4H. If your answer is "No," proceed to Question 5].

4A. Has Ms. Jama proved her negligence #2 claim against Esmor?

Yes _____ No _____

4B. Has Ms. Jama proved her negligence #2 claim against James Slattery?

Yes _____ No _____

4C. Has Ms. Jama proved her negligence #2 claim against Richard Staley?

Yes _____ No _____

4D. Has Ms. Jama proved her negligence #2 claim against Diane McClure?

Yes _____ No _____

4E. Has Ms. Jama proved her negligence #2 claim against John Lima?

Yes _____ No _____

4F. What is the amount of the compensatory damages to which Ms. Jama is entitled on account of her negligence 2 claim?

\$ _____

4G. If you found that Ms. Jama proved her negligence #1 claim and you awarded her compensatory damages on that claim, how much, if any, of the compensatory damages awarded on account of the negligence #2 claim was included in the compensatory damages awarded on the negligence 1 claim?

\$ _____

4H. If you awarded Ms. Jama compensatory damages on her ATCA claim and/or on her RFRA claim, how much, if any, of the combined damages on those claims are included in your award on Ms. Jama's negligence #1 claim?

\$ _____

~~Negligent Failure to Protect Property Claim~~

~~5. Has Ms. Jama proved by a preponderance of the evidence her claim of negligent failure to protect property by Esmor or any of the individual Defendants Slattery, Staley,~~

McClure and/or Lima?

Yes _____ No _____

[If your answer is "Yes," proceed to Questions 5A-5F. If your answer is "No," you should answer no further questions and your foreman should sign this Questionnaire and inform the attending officer that you are prepared to render a verdict].

5A. Has Ms. Jama proved her negligent failure to protect property claim against Esmor?

Yes _____ No _____

5B. Has Ms. Jama proved her negligent failure to protect property claim against James Slattery?

Yes _____ No _____

5C. Has Ms. Jama proved her negligent failure to protect property claim against Richard Staley?

Yes _____ No _____

5D. Has Ms. Jama proved her negligent failure to protect property claim against Diane McClure?

Yes _____ No _____

5E. Has Ms. Jama proved her negligent failure to protect property claim against John Lima?


Yes _____ No _____

5F. What is the amount of the compensatory damages to which Ms. Jama is

entitled on account of her negligent failure to protect property claim?

\$ _____

Dated: November 13, 2007



FOREPERSON