

ORIGINAL

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAII

THERESA KIMES, individually and as
Guardian Ad Litem for her minor
daughter, R.K.,

Plaintiff,

vs.

STATE OF HAWAII DEPARTMENT OF
EDUCATION,

Defendant.

CIVIL NO. 16-00264 JMS-RLP

SPECIAL VERDICT FORM

FILED IN THE
UNITED STATES DISTRICT COURT
DISTRICT OF HAWAII

MAY 02 2018 *atm*

at 9 o'clock and 34 min. A. M.
SUE BEITIA, CLERK

SPECIAL VERDICT FORM

To understand what issues are being submitted to you, please read the entire special verdict form before proceeding to answer. Answer the questions in numerical order. Follow all directions carefully. Each answer requires the agreement of all 8 jurors.

Question Number 1: Did Plaintiff prove, by a preponderance of the evidence, that the State of Hawaii Department of Education denied ██████████ a reasonable accommodation that she needed in order to enjoy meaningful access to the benefits of her public education?

YES X

NO _____

If you answered question number 1 "YES," proceed to question number 2. If you answered question number 1 "NO," skip the remaining questions and have the foreperson date and sign this special verdict form.

Question No. 2: Did Plaintiff prove, by a preponderance of the evidence, that the State of Hawaii Department of Education acted with deliberate indifference in denying ██████████ a reasonable accommodation that she needed in order to enjoy meaningful access to the benefits of her public education?

YES _____

NO X

If you answered question number 2 "YES," proceed to question Number 3. If you answered question number 2 "NO," skip the remaining questions and have the foreperson date and sign this special verdict form.

Question No. 3: Did Plaintiff prove, by a preponderance of the evidence, that the State of Hawaii Department of Education's failure to provide a reasonable accommodation under Section 504 of the Rehabilitation Act caused injury to [REDACTED]?

YES _____

NO _____

If you answered question number 3 "YES," proceed to question number 4. If you answered question number 3 "NO," skip the last question and have the foreperson date and sign this special verdict form.

Question No. 4: What is the amount of Plaintiff's damages, if any, against Defendant State of Hawaii Department of Education?

\$ _____

Please have the Foreperson sign and date the appropriate lines on the back of this form.

JURY CERTIFICATION

The verdict is unanimous as certified by the signature of the Jury

Foreperson below.

Dated: May 2, 2018, at Honolulu, Hawaii.

Signed: 
FOREPERSON