

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF IOWA
WESTERN DIVISION**

EDWARD P. HAGEN,

Plaintiff,

vs.

SIOUXLAND OBSTETRICS &
GYNECOLOGY, P.C., an Iowa
corporation; PAUL J. EASTMAN;
TAUHNI T. HUNT; and ANGELA J.
ALDRICH,

Defendants.

No. C 11-4047-MWB

VERDICT FORM

On Dr. Hagen's claim of "wrongful discharge in violation of public policy," we, the Jury, find as follows:

I. LIABILITY	
Step 1: Verdict	<p>On Dr. Hagen's "wrongful discharge" claim, as explained in Instruction No. 5, in whose favor do you find? <i>(If you find in favor of the defendants on this claim, then you do not need to answer any further questions in the Verdict Form. Instead, notify the Court Security Officer (CSO) that you have reached a verdict. On the other hand, if you find in favor of Dr. Hagen, go on to consider additional steps in this Part and in Part II concerning damages.)</i></p> <p style="text-align: center;"><input checked="" type="checkbox"/> Dr. Hagen <input type="checkbox"/> The defendants</p>
Step 2: Protected Conduct	<p><i>If you found in favor of Dr. Hagen in Step 1, which one or more of the following kinds of conduct do you find were determining factor(s) in Siouxland's decision to terminate Dr. Hagen?</i></p> <p><input type="checkbox"/> Dr. Hagen reporting, stating an intention to report, or stating that he might report to the Iowa Board of Medicine conduct of Dr. Eastman that Dr. Hagen believed may have involved wrongful acts, omissions, negligence, or malpractice</p>

	<input type="checkbox"/> Dr. Hagen reporting, stating an intention to report, or stating that he might report to a hospital conduct of Dr. Eastman that Dr. Hagen believed may have involved wrongful acts, omissions, negligence, or malpractice	
	<input checked="" type="checkbox"/> Dr. Hagen reporting, stating an intention to report, or stating that he might report to a hospital conduct of nurses that Dr. Hagen believed may have involved wrongful acts or omissions	
	<input checked="" type="checkbox"/> Dr. Hagen disclosing to a patient or a patient's family that the patient may have been the victim of negligent care or malpractice	
	<input checked="" type="checkbox"/> Dr. Hagen consulting with an attorney, stating an intention to consult with an attorney, or stating that he might consult with an attorney about whether Dr. Eastman or nurses had committed wrongful acts or omissions that Dr. Hagen should report to the Iowa Board of Medicine or a hospital	
II. DAMAGES		
Step 1: Compensatory Damages	<i>If you found in favor of Dr. Hagen on his "wrongful discharge" claim in Part I, Step 1, what amount, if any, do you award for each of the following items of damages, as compensatory damages for a "wrongful discharge" are explained in Instruction No. 7?</i>	
	Past lost earnings:	\$ <u>1,051,814.00</u>
	Future lost earnings, reduced to present value:	\$ _____
TOTAL COMPENSATORY DAMAGES		\$ _____
Step 2: Nominal Damages	<i>If you found in favor of Dr. Hagen on his "wrongful discharge" claim in Part I, Step 1, but you find that he has failed to prove "compensatory damages" as defined in Instruction No. 7, then you must award "nominal damages" not exceeding \$1.00, as explained in Instruction No. 8. (Do not award "nominal damages" on Dr. Hagen's "wrongful discharge" claim, if you award any "compensatory damages" on that claim.)</i>	
	Nominal damages:	\$ <u>0</u>

<p>Step 3: “Punitive Damages”</p>	<p><i>If you found in favor of Dr. Hagen on his “wrongful discharge” claim in Part I, Step 1, please answer the following questions concerning “punitive damages” for a “wrongful discharge,” as “punitive damages” are explained in Instruction No. 9.</i></p>	
<p>(a): “Willful And Wanton” Conduct”</p>	<p>Do you find by the greater weight of clear, convincing, and satisfactory evidence that the conduct of one or more of the individual defendants constituted willful and wanton disregard of the rights of another? <i>(If your answer is “no,” then you cannot award punitive damages. On the other hand, if your answer is “yes,” you may, but are not required to, award punitive damages in some amount.)</i></p>	
	<p>___ Yes</p>	<p><input checked="" type="checkbox"/> No</p>
<p>(b): Responsible Defendant(s) And Amount Of Punitive Damages</p>	<p><i>If you answered “yes” in Step 3(a), which one or more of the following defendants do you find by the greater weight of clear, convincing, and satisfactory evidence engaged in conduct that constituted willful and wanton disregard of the rights of another, and what amount, if any, in punitive damages do you award against any such defendant?</i></p>	
	<p>___ Dr. Eastman engaged in willful and wanton conduct, and the amount of punitive damages awarded against him is \$ _____</p> <p>___ Dr. Hunt engaged in willful and wanton conduct, and the amount of punitive damages awarded against her is \$ _____</p> <p>___ Dr. Aldrich engaged in willful and wanton conduct, and the amount of punitive damages awarded against her is \$ _____</p>	
<p>(c): Directed Specifically At Dr. Hagen</p>	<p><i>If you answered “yes” in Step 3(a), was the conduct of any defendant marked in Step 3(b) directed specifically at Dr. Hagen?</i></p>	
	<p>Dr. Eastman:</p>	<p>___ Yes ___ No</p>
	<p>Dr. Hunt:</p>	<p>___ Yes ___ No</p>
	<p>Dr. Aldrich:</p>	<p>___ Yes ___ No</p>

(d): Liability Of Siouxland	<i>If you answered "yes" in Step 3(a), and you awarded punitive damages in Step 3(b), is Siouxland liable for the punitive damages awarded by reason of the acts of any individual defendant identified in Step 3(b)?</i>		
	Dr. Eastman:	___ Yes	___ No
	Dr. Hunt:	___ Yes	___ No
	Dr. Aldrich:	___ Yes	___ No

May 1, 2013
Date

Renea Z. Luttles
Foreperson

Brett A Smith
Juror

Barbara Schruer
Juror

Kevin Stov
Juror

Belva J. Conover
Juror

Jack Young
Juror

Patricia Mace
Juror

Juror