

USDC SDNY
DOCUMENT
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DOC #:
DATE FILED: 10/25/19

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
CHAZ PERRY, et al.,

Plaintiffs,

-v-

THE CITY OF NEW YORK, et al.,

Defendants.
-----X

13-CV-1015 (VSB)

VERDICT SHEET

VERNON S. BRODERICK, United States District Judge:

Question 1:

Did the Plaintiff EMTs and Paramedics prove by a preponderance of the evidence that the Defendants have a policy or practice of suffering or permitting the Plaintiffs to perform work before their shift without pay, in violation of the Fair Labor Standards Act?

YES

NO

Question 2:

Did the Plaintiff EMTs and Paramedics prove by a preponderance of the evidence that the Defendants have a policy or practice of suffering or permitting the Plaintiffs to perform work after their shift without pay, in violation of the Fair Labor Standards Act?

YES

NO

If your answer to both Question 1 and Question 2 is "No," you have found for the Defendants and should not answer any additional questions. Proceed to the signature line at the end of the form.

If your answer to Question 1 is "Yes," please also provide an answer to Question 3.

If your answer to Question 2 is "Yes," please also provide an answer to Question 4.

Question 3:

Did the Plaintiffs prove by a preponderance of the evidence that the CityTime system accurately captures the unpaid pre-shift work minutes at issue in this case (i.e., up to 15 minutes of pre-shift work)?

YES

NO

Question 4:

Did the Plaintiffs prove by a preponderance of the evidence that the CityTime system accurately captures the unpaid post-shift work minutes at issue in this case (i.e., up to 15 minutes of post-shift work)?

YES

NO

If your answer to both Question 3 and Question 4 is "Yes," please skip Question 5 and Question 6 and proceed to Question 7.

If your answer to Question 3 is "No," please also provide an answer to Question 5.

If your answer to Question 4 is "No," please also provide an answer to Question 6.

Question 5:

On average, how many unpaid pre-shift minutes, per Plaintiff, per shift, should be counted as work time for which the Plaintiffs should have been paid?

_____ minutes

Question 6:

On average, how many unpaid post-shift minutes, per Plaintiff, per shift, should be counted as work time for which the Plaintiffs should have been paid?

_____ minutes

Question 7:

Did Plaintiffs prove by a preponderance of the evidence that the Defendants willfully violated the Fair Labor Standards Act?

YES

NO

If your answer to both Question 3 and Question 4 was "Yes," proceed to the signature line and sign the form.

If your answer to either Question 3 or Question 4 was "No," continue to Question 8, but only as to the question for which your answer was "No."

Question 8:

Based on the average number of unpaid pre-shift and/or post-shift minutes, per Plaintiff, per shift, you determined above in response to Questions 5 and/or 6, what are the damages to which Plaintiffs are entitled?

\$

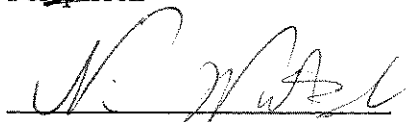
You have completed all questions. Please proceed to the signature line below.

SIGNATURE LINE

Foreperson and other jurors, please sign and date the verdict sheet. Then, without disclosing your verdict, advise the Court in a note that you have reached a verdict and are ready to return to the courtroom to announce your verdict.


Foreperson

10/24/19



10/24/19

Kyle L. Wonall 10/24/19

Katherine M. Young 10/24/19

John Asta 10/24/19

Abigail Padilla 10/24/19

Kevin A. Lopez 10/24/19

Helen Stone 10/24/19

Frank 10/24/19

Monty 10/24/19

Dated: 10/24/19