



UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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FRANCESCO PORTELOS

Plaintiff,

**VERDICT SHEET**

-against-

12-CV-3141 (LDH) (VMS)

LINDA HILL, PRINCIPAL OF I.S. 49, IN HER  
OFFICIAL AND INDIVIDUAL CAPACITY AND  
ERMINIA CLAUDIO, DISTRICT SUPERINTENDENT  
IN HER OFFICIAL AND INDIVIDUAL CAPACITY,

Defendants.

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According to the principles of law as charged by the Court and the facts as you find them,  
please answer the following questions. Your answer to each question must be unanimous.

- 1. Did Plaintiff Francesco Portelos prove by a preponderance of the evidence that his protected speech was a substantial or motivating factor in a Defendant's decision to take one or more adverse employment actions against him?

a. Linda Hill                                Yes \_\_\_\_\_ No

b. Erminia Claudio                                Yes \_\_\_\_\_ No

**If you answered "no" as to all Defendants please stop here.  
If you answered "yes" to any Defendant please proceed to Question 2.**

DRAFT – August 19, 2016

2. Did Plaintiff Francesco Portelos prove by a preponderance of the evidence that he is entitled to recover compensatory damages from any of the Defendants?

Yes \_\_\_\_\_ No \_\_\_\_\_

**If you answered “yes” please proceed to Question 3.  
If you answered “no” please proceed to Question 4.**

3. What amount of compensatory damages is Plaintiff entitled to from any, or all of the Defendants, on his First Amendment retaliation claim?

\$ \_\_\_\_\_

**Please proceed to Question 5.**

4. What amount of nominal damages, if any, but not to exceed \$1.00, do you award Plaintiff Francesco Portelos on his First Amendment retaliation claim?

\$ \_\_\_\_\_

**Please proceed to Question 5.**

5. Has Plaintiff Francesco Portelos proven by a preponderance of the evidence that either Defendant Linda Hill or Defendant Erminia Claudio’s conduct was malicious or wanton?

**If you answered “yes” please proceed to Question 6.  
If you answered “no” you have completed your deliberations.**

DRAFT – August 19, 2016

6. What amount of punitive damages, if any, do you award Plaintiff Francesco Portelos on his First Amendment retaliation claim?

- a. Linda Hill \$ \_\_\_\_\_
- b. Erminia Claudio \$ \_\_\_\_\_

**You have completed your deliberations. The foreperson is to sign and date this verdict sheet, and advise the Court by note that you are ready to return to the Courtroom to announce your verdict.**

  
**FOREPERSON**

Dated: Brooklyn, New York  
August 23, 2016