

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION**

**UNITED STATES EQUAL
EMPLOYMENT OPPORTUNITY
COMMISSION,**

Plaintiff,

TED MAINES,

Intervenor-Plaintiff,

-vs-

Case No. 6:02-cv-1112-Orl-28DAB

**FEDERAL EXPRESS
CORPORATION,**

Defendant.

VERDICT

1. Do you find from a preponderance of the evidence that Plaintiff Ted Maines engaged in statutorily protected activity, that is, that he opposed a practice by Defendant Federal Express Corporation that he believed in good faith constituted discrimination prohibited by law?

Answer Yes or No Yes

Note: If you answered No to Question 1, you should not answer any other questions on this verdict form but should instead stop and have your foreperson sign and date the verdict form. If you answered Yes to Question 1, please proceed to Question 2.

2. Do you find from a preponderance of the evidence that Plaintiff Ted Maines was constructively discharged by Defendant?

Answer Yes or No Yes

Note: If you answered Yes to Question 2, please proceed to Question 3. If you answered No to Question 2, please skip Question 3 and proceed to Question 4.

3. Do you find from a preponderance of the evidence that the constructive discharge of Ted Maines was causally related to Ted Maines's statutorily protected activity?

Answer Yes or No Yes

4. Do you find from a preponderance of the evidence that Plaintiff Ted Maines was subjected to an adverse employment action other than constructive discharge?

Answer Yes or No Yes

Note: If you answered Yes to Question 4, please proceed to Question 5. If you answered No to Question 4 and you answered No to either Question 2 or Question 3, please skip the remaining questions and proceed to the end of the verdict form and have your foreperson sign and date it. If you answered No to Question 4 and answered Yes to Question 3, please skip Question 5 and proceed to Question 6.

5. Do you find from a preponderance of the evidence that the adverse employment action suffered by Ted Maines was causally related to Ted Maines's statutorily protected activity?

Answer Yes or No Yes

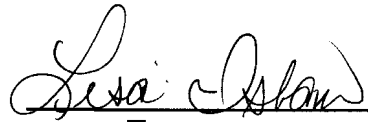
Note: If you answered Yes to either Question 3 or Question 5, please proceed to Question 6. Otherwise, skip Question 6 and have your foreperson sign and date the verdict form.

6. What amount of damages do you find should be awarded to Ted
Maines?

Lost wages and benefits \$ 201,010.30

Emotional pain and mental anguish \$ 1,370,000

SO SAY WE ALL.



Foreperson

DATED: 12-16-04