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IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

No. C 91-01057 CW  
VERDICT FORM

JUDI BARI, by DARLENE COMINGORE,  
Executor of the Estate of JUDI BARI,  
and DARRYL CHERNEY,

Plaintiffs,

v.

FBI Agents STOCKTON BUCK, FRANK  
DOYLE, JOHN REIKES, and PHILIP SENA,  
and Oakland Police Officers CLYDE M.  
SIMS, ROBERT CHENAULT, and MICHAEL  
SITTERUD,

Defendants.

Please answer each of the following questions. When you are  
finished, please have the foreperson sign this verdict form and  
return it to the Court.

**I. Fourth Amendment Claims**

A. Plaintiff Judi Bari

1. Arrest

1. Did one or more of the defendants listed below violate Judi  
Bari's Fourth Amendment rights in connection with her arrest?

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

1 If your answer is "No," skip questions 2 through 5 and go on to  
2 Part I.A.2. If your answer is "Yes," please complete questions 2  
3 through 5:

4  
5 2. Place a check mark next to each defendant that you find  
6 violated Ms. Bari's Fourth Amendment rights in connection with her  
7 arrest:

8 Frank Doyle \_\_\_\_\_  
9 John Reikes \_\_\_\_\_  
10 Philip Sena \_\_\_\_\_  
11 Clyde M. Sims \_\_\_\_\_  
12 Robert Chenault \_\_\_\_\_  
13 Michael Sitterud \_\_\_\_\_

14  
15 3. Only as to each defendant that you find violated Ms. Bari's  
16 Fourth Amendment rights in connection with her arrest as indicated  
17 above, could a reasonable officer in that defendant's position have  
18 believed that his conduct was lawful?

19 Answer "Yes" or "No" (do not answer for a defendant if you did not  
20 place a check mark next to the defendant's name above):

21 Frank Doyle \_\_\_\_\_  
22 John Reikes \_\_\_\_\_  
23 Philip Sena \_\_\_\_\_  
24 Clyde M. Sims \_\_\_\_\_  
25 Robert Chenault \_\_\_\_\_  
26 Michael Sitterud \_\_\_\_\_

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1 4. If you answered "No" for one or more defendants above, these  
2 are the defendants that you have found liable for violating Ms.  
3 Bari's Fourth Amendment rights in connection with her arrest. What  
4 amount of money do you award Ms. Bari to compensate her for any  
5 injury, loss or harm she suffered as a result of the Fourth  
6 Amendment violation due to her arrest?

7 \$ \_\_\_\_\_  
8

9 5. For each defendant that you found liable for violating Ms.  
10 Bari's Fourth Amendment rights in connection with her arrest (those  
11 for whom you have a check mark in question 2 and you answered "No"  
12 in question 3 above), indicate what percentage of the above damages  
13 he caused. The total of all percentages indicated below must equal  
14 100%:

|                     |         |
|---------------------|---------|
| 15 Frank Doyle      | _____ % |
| 16 John Reikes      | _____ % |
| 17 Philip Sena      | _____ % |
| 18 Clyde M. Sims    | _____ % |
| 19 Robert Chenault  | _____ % |
| 20 Michael Sitterud | _____ % |

21  
22 2. May 25, 1990 Search

23 1. Did one or more of the defendants listed below violate Judi  
24 Bari's Fourth Amendment rights in connection with the search  
25 warrant for the May 25, 1990 search of her home?

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

27 If your answer is "No," skip questions 2 through 5 and go on to  
28

1 Part I.A.3. If your answer is "Yes," please complete questions 2  
2 through 5:

3

4 2. Place a check mark next to each defendant that you find  
5 violated Ms. Bari's Fourth Amendment rights in connection with the  
6 search warrant for the May 25, 1990 search of her home:

- 7 Frank Doyle \_\_\_\_\_
- 8 John Reikes \_\_\_\_\_
- 9 Clyde M. Sims \_\_\_\_\_
- 10 Robert Chenault \_\_\_\_\_
- 11 Michael Sitterud \_\_\_\_\_

12

13 3. Only as to each defendant that you find violated Ms. Bari's  
14 Fourth Amendment rights in connection with the search warrant for  
15 the May 25, 1990 search of her home as indicated above, could a  
16 reasonable officer in that defendant's position have believed that  
17 his conduct was lawful?

18 Answer "Yes" or "No" (do not answer for a defendant if you did not  
19 place a check mark next to the defendant's name above):

- 20 Frank Doyle \_\_\_\_\_
- 21 John Reikes \_\_\_\_\_
- 22 Clyde M. Sims \_\_\_\_\_
- 23 Robert Chenault \_\_\_\_\_
- 24 Michael Sitterud \_\_\_\_\_

25

26 4. If you answered "No" for one or more defendants above, these  
27 are the defendants that you have found liable for violating Ms.

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1 Bari's Fourth Amendment rights in connection with the search  
2 warrant for the May 25, 1990 search of her home. What amount of  
3 money do you award Ms. Bari to compensate her for any injury, loss  
4 or harm she suffered as a result of the Fourth Amendment violation  
5 due to the May 25, 1990 search?

6 \$ \_\_\_\_\_  
7

8 5. For each defendant that you found liable for violating Ms.  
9 Bari's Fourth Amendment rights in connection with the search  
10 warrant for the May 25, 1990 search of her home (those for whom you  
11 have a check mark in question 2 and you answered "No" in question 3  
12 above), indicate what percentage of the above damages he caused.  
13 The total of all percentages indicated below must equal 100%:

14 Frank Doyle \_\_\_\_\_ %  
15 John Reikes \_\_\_\_\_ %  
16 Clyde M. Sims \_\_\_\_\_ %  
17 Robert Chenault \_\_\_\_\_ %  
18 Michael Sitterud \_\_\_\_\_ %  
19

20 3. June 26, 1990 Search

21 1. Did one or more of the defendants listed below violate Judi  
22 Bari's Fourth Amendment rights in connection with the search  
23 warrant for the June 26, 1990 search of her home?

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

25 If your answer is "No," skip questions 2 through 5 and go on to  
26 Part I.B. If your answer is "Yes," please complete questions 2  
27 through 5:  
28

1 2. Place a check mark next to each defendant that you find  
2 violated Ms. Bari's Fourth Amendment rights in connection with the  
3 search warrant for the June 26, 1990 search of her home:

4 Frank Doyle \_\_\_\_\_

5 John Reikes \_\_\_\_\_

6 Clyde M. Sims \_\_\_\_\_

7 Robert Chenault \_\_\_\_\_

8 Michael Sitterud \_\_\_\_\_

9

10 3. Only as to each defendant that you find violated Ms. Bari's  
11 Fourth Amendment rights in connection with the search warrant for  
12 the June 26, 1990 search of her home as indicated above, could a  
13 reasonable officer in that defendant's position have believed that  
14 his conduct was lawful?

15 Answer "Yes" or "No" (do not answer for a defendant if you did not  
16 place a check mark next to the defendant's name above):

17 Frank Doyle \_\_\_\_\_

18 John Reikes \_\_\_\_\_

19 Clyde M. Sims \_\_\_\_\_

20 Robert Chenault \_\_\_\_\_

21 Michael Sitterud \_\_\_\_\_

22

23 4. If you answered "No" for one or more defendants above, these  
24 are the defendants that you have found liable for violating Ms.  
25 Bari's Fourth Amendment rights in connection with the search  
26 warrant for the June 26, 1990 search of her home. What amount of  
27 money do you award Ms. Bari to compensate her for any injury, loss

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1 or harm she suffered as a result of the Fourth Amendment violation  
2 due to the June 26, 1990 search?

3 \$ \_\_\_\_\_  
4

5 5. For each defendant that you found liable for violating Ms.  
6 Bari's Fourth Amendment rights in connection with the search  
7 warrant for the June 26, 1990 search of her home (those for whom  
8 you have a check mark in question 2 and you answered "No" in  
9 question 3 above), indicate what percentage of the above damages he  
10 caused. The total of all percentages indicated below must equal  
11 100%:

- 12 Frank Doyle \_\_\_\_\_ %
- 13 John Reikes \_\_\_\_\_ %
- 14 Clyde M. Sims \_\_\_\_\_ %
- 15 Robert Chenault \_\_\_\_\_ %
- 16 Michael Sitterud \_\_\_\_\_ %

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19 B. Plaintiff Darryl Cherney

20 1. Arrest

21 1. Did one or more of the defendants listed below violate Darryl  
22 Cherney's Fourth Amendment rights in connection with his arrest?

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

24 If your answer is "No," skip questions 2 through 5 and go on to  
25 Part I.B.2. If your answer is "Yes," please complete questions 2  
26 through 5:

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1 2. Place a check mark next to each defendant that you find  
2 violated Mr. Cherney's Fourth Amendment rights in connection with  
3 his arrest:

- 4 Frank Doyle \_\_\_\_\_
- 5 John Reikes \_\_\_\_\_
- 6 Philip Sena \_\_\_\_\_
- 7 Clyde M. Sims \_\_\_\_\_
- 8 Robert Chenault \_\_\_\_\_
- 9 Michael Sitterud \_\_\_\_\_

10

11 3. Only as to each defendant that you find violated Mr. Cherney's  
12 Fourth Amendment rights in connection with his arrest as indicated  
13 above, could a reasonable officer in that defendant's position have  
14 believed that his conduct was lawful?

15 Answer "Yes" or "No" (do not answer for a defendant if you did not  
16 place a check mark next to the defendant's name above):

- 17 Frank Doyle \_\_\_\_\_
- 18 John Reikes \_\_\_\_\_
- 19 Philip Sena \_\_\_\_\_
- 20 Clyde M. Sims \_\_\_\_\_
- 21 Robert Chenault \_\_\_\_\_
- 22 Michael Sitterud \_\_\_\_\_

23

24 4. If you answered "No" for one or more defendants above, these  
25 are the defendants that you have found liable for violating Mr.  
26 Cherney's Fourth Amendment rights in connection with his arrest.  
27 What amount of money do you award Mr. Cherney to compensate him for  
28



1 any injury, loss or harm he suffered as a result of the Fourth  
2 Amendment violation due to his arrest?

3 \$ \_\_\_\_\_  
4

5 5. For each defendant that you found liable for violating Mr.  
6 Cherney's Fourth Amendment rights in connection with his arrest  
7 (those for whom you have a check mark in question 2 and you  
8 answered "No" in question 3 above), indicate what percentage of the  
9 above damages he caused. The total of all percentages indicated  
10 below must equal 100%:

|                     |         |
|---------------------|---------|
| 11 Frank Doyle      | _____ % |
| 12 John Reikes      | _____ % |
| 13 Philip Sena      | _____ % |
| 14 Clyde M. Sims    | _____ % |
| 15 Robert Chenault  | _____ % |
| 16 Michael Sitterud | _____ % |

17  
18 2. May 25, 1990 Search

19 1. Did one or more of the defendants listed below violate Darryl  
20 Cherney's Fourth Amendment rights in connection with the search  
21 warrant for the May 25, 1990 search of his home?

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

23 If your answer is "No," skip questions 2 through 5 and go on to  
24 Part II. If your answer is "Yes," please complete questions 2  
25 through 5:  
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1 2. Place a check mark next to each defendant that you find  
2 violated Mr. Cherney's Fourth Amendment rights in connection with  
3 the search warrant for the May 25, 1990 search of his home:

- 4 Frank Doyle \_\_\_\_\_
- 5 John Reikes \_\_\_\_\_
- 6 Clyde M. Sims \_\_\_\_\_
- 7 Robert Chenault \_\_\_\_\_
- 8 Michael Sitterud \_\_\_\_\_

9

10 3. Only as to each defendant that you find violated Mr. Cherney's  
11 Fourth Amendment rights in connection with the search warrant for  
12 the May 25, 1990 search of his home as indicated above, could a  
13 reasonable officer in that defendant's position have believed that  
14 his conduct was lawful?

15 Answer "Yes" or "No" (do not answer for a defendant if you did not  
16 place a check mark next to the defendant's name above):

- 17 Frank Doyle \_\_\_\_\_
- 18 John Reikes \_\_\_\_\_
- 19 Clyde M. Sims \_\_\_\_\_
- 20 Robert Chenault \_\_\_\_\_
- 21 Michael Sitterud \_\_\_\_\_

22

23 4. If you answered "No" for one or more defendants above, these  
24 are the defendants that you have found liable for violating Mr.  
25 Cherney's Fourth Amendment rights in connection with the search  
26 warrant for the May 25, 1990 search of his home. What amount of  
27 money do you award Mr. Cherney to compensate him for any injury,

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1 loss or harm he suffered as a result of the Fourth Amendment  
2 violation due to the May 25, 1990 search?

3 \$ \_\_\_\_\_  
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5 5. For each defendant that you found liable for violating Mr.  
6 Cherney's Fourth Amendment rights in connection with the search  
7 warrant for the May 25, 1990 search of his home (those for whom you  
8 have a check mark in question 2 and you answered "No" in question 3  
9 above), indicate what percentage of the above damages he caused.  
10 The total of all percentages indicated below must equal 100%:

|                     |         |
|---------------------|---------|
| 11 Frank Doyle      | _____ % |
| 12 John Reikes      | _____ % |
| 13 Clyde M. Sims    | _____ % |
| 14 Robert Chenault  | _____ % |
| 15 Michael Sitterud | _____ % |

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18 **II. First Amendment Claims**

19 A. Plaintiff Judi Bari

20 1. Did one or more of the defendants listed below violate Judi  
21 Bari's First Amendment rights?

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

23 If your answer is "No," skip questions 2 through 4 and go on to  
24 Part II.B. If your answer is "Yes," please complete questions 2  
25 through 4:  
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1 2. Place a check mark next to each defendant that you find  
2 violated Ms. Bari's First Amendment rights:

- 3 Frank Doyle \_\_\_\_\_
- 4 John Reikes \_\_\_\_\_
- 5 Philip Sena \_\_\_\_\_
- 6 Stockton Buck \_\_\_\_\_
- 7 Clyde M. Sims \_\_\_\_\_
- 8 Robert Chenault \_\_\_\_\_
- 9 Michael Sitterud \_\_\_\_\_

10

11 3. What amount of money do you award Ms. Bari to compensate her  
12 for any injury, loss or harm she suffered as a result of the First  
13 Amendment violation?

14 \$ \_\_\_\_\_

15

16 4. For each defendant that you found violated Ms. Bari's First  
17 Amendment rights (those for whom you have a check mark in question  
18 2 above), indicate what percentage of the above damages he caused.  
19 The total of all percentages indicated below must equal 100%:

- 20 Frank Doyle \_\_\_\_\_ %
- 21 John Reikes \_\_\_\_\_ %
- 22 Philip Sena \_\_\_\_\_ %
- 23 Stockton Buck \_\_\_\_\_ %
- 24 Clyde M. Sims \_\_\_\_\_ %
- 25 Robert Chenault \_\_\_\_\_ %
- 26 Michael Sitterud \_\_\_\_\_ %

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1 B. Plaintiff Darryl Cherney

2 1. Did one or more of the defendants listed below violate Darryl  
3 Cherney's First Amendment rights?

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

5 If your answer is "No," skip questions 2 through 4 and go on to  
6 Part III. If your answer is "Yes," please complete questions 2  
7 through 4:

8  
9 2. Place a check mark next to each defendant that you find  
10 violated Mr. Cherney's First Amendment rights:

- 11 Frank Doyle \_\_\_\_\_
- 12 John Reikes \_\_\_\_\_
- 13 Philip Sena \_\_\_\_\_
- 14 Stockton Buck \_\_\_\_\_
- 15 Clyde M. Sims \_\_\_\_\_
- 16 Robert Chenault \_\_\_\_\_
- 17 Michael Sitterud \_\_\_\_\_

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19 3. What amount of money do you award Mr. Cherney to compensate  
20 him for any injury, loss or harm he suffered as a result of the  
21 First Amendment violation?

22 \$ \_\_\_\_\_

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26 4. For each defendant that you found violated Mr. Cherney's First  
27 Amendment rights (those for whom you have a check mark in question

1 2 above), indicate what percentage of the above damages he caused.

2 The total of all percentages indicated below must equal 100%:

3 Frank Doyle \_\_\_\_\_ %

4 John Reikes \_\_\_\_\_ %

5 Philip Sena \_\_\_\_\_ %

6 Stockton Buck \_\_\_\_\_ %

7 Clyde M. Sims \_\_\_\_\_ %

8 Robert Chenault \_\_\_\_\_ %

9 Michael Sitterud \_\_\_\_\_ %

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12 **III. Conspiracy Claims**

13 A. Plaintiff Judi Bari

14 Do you find that two or more of the following defendants  
 15 participated in a conspiracy to violate Judi Bari's First Amendment  
 16 rights? Mark "Yes" next to the name of each defendant, if any, you  
 17 find participated in a conspiracy to violate Ms. Bari's First  
 18 Amendment rights, and mark "No" next to the name of each defendant,  
 19 if any, you do not find to have participated in such a conspiracy:

20 Frank Doyle Yes \_\_\_\_\_ No \_\_\_\_\_

21 John Reikes Yes \_\_\_\_\_ No \_\_\_\_\_

22 Philip Sena Yes \_\_\_\_\_ No \_\_\_\_\_

23 Stockton Buck Yes \_\_\_\_\_ No \_\_\_\_\_

24 Clyde M. Sims Yes \_\_\_\_\_ No \_\_\_\_\_

25 Robert Chenault Yes \_\_\_\_\_ No \_\_\_\_\_

26 Michael Sitterud Yes \_\_\_\_\_ No \_\_\_\_\_

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B. Plaintiff Darryl Cherney

Do you find that two or more of the following defendants participated in a conspiracy to violate Darryl Cherney's First Amendment rights? Mark "Yes" next to the name of each defendant, if any, you find participated in a conspiracy to violate Mr. Cherney's First Amendment rights, and mark "No" next to the name of each defendant, if any, you do not find to have participated in such a conspiracy:

- |                  |     |       |    |       |
|------------------|-----|-------|----|-------|
| Frank Doyle      | Yes | _____ | No | _____ |
| John Reikes      | Yes | _____ | No | _____ |
| Philip Sena      | Yes | _____ | No | _____ |
| Stockton Buck    | Yes | _____ | No | _____ |
| Clyde M. Sims    | Yes | _____ | No | _____ |
| Robert Chenault  | Yes | _____ | No | _____ |
| Michael Sitterud | Yes | _____ | No | _____ |

**IV. Punitive Damages**

A. Fourth Amendment Claims

If you awarded damages to Ms. Bari for a Fourth Amendment violation against a defendant or defendants in Part I, indicate whether you award Ms. Bari punitive damages against that defendant or defendants for that violation.

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

1 If your answer to the above question is "Yes," indicate below  
2 the amount of punitive damages which that defendant or defendants  
3 should pay for violation of Ms. Bari's Fourth Amendment rights:

- 4 Frank Doyle \$ \_\_\_\_\_
- 5 John Reikes \$ \_\_\_\_\_
- 6 Philip Sena \$ \_\_\_\_\_
- 7 Clyde M. Sims \$ \_\_\_\_\_
- 8 Robert Chenault \$ \_\_\_\_\_
- 9 Michael Sitterud \$ \_\_\_\_\_

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12 If you awarded damages to Mr. Cherney for a Fourth Amendment  
13 violation against a defendant or defendants in Part I, indicate  
14 whether you award Mr. Cherney punitive damages against that  
15 defendant or defendants for that violation.

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

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18 If your answer to the above question is "Yes," indicate below  
19 the amount of punitive damages which that defendant or defendants  
20 should pay for violation of Mr. Cherney's Fourth Amendment rights:

- 21 Frank Doyle \$ \_\_\_\_\_
- 22 John Reikes \$ \_\_\_\_\_
- 23 Philip Sena \$ \_\_\_\_\_
- 24 Clyde M. Sims \$ \_\_\_\_\_
- 25 Robert Chenault \$ \_\_\_\_\_
- 26 Michael Sitterud \$ \_\_\_\_\_

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1 B. First Amendment Claims

2 If you awarded damages to Ms. Bari for a First Amendment  
3 violation against a defendant or defendants in Part II, indicate  
4 whether you award Ms. Bari punitive damages against that defendant  
5 or defendants for that violation.

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

7  
8 If your answer to the above question is "Yes," indicate below  
9 the amount of punitive damages which that defendant or defendants  
10 should pay for violation of Ms. Bari's First Amendment rights:

11 Frank Doyle \$ \_\_\_\_\_  
12 John Reikes \$ \_\_\_\_\_  
13 Philip Sena \$ \_\_\_\_\_  
14 Stockton Buck \$ \_\_\_\_\_  
15 Clyde M. Sims \$ \_\_\_\_\_  
16 Robert Chenault \$ \_\_\_\_\_  
17 Michael Sitterud \$ \_\_\_\_\_

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21 If you awarded damages to Mr. Cherney for a First Amendment  
22 violation against a defendant or defendants in Part II, indicate  
23 whether you award Mr. Cherney punitive damages against that  
24 defendant or defendants for that violation.

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

1 If your answer to the above question is "Yes," indicate below  
2 the amount of punitive damages which that defendant or defendants  
3 should pay for violation of Mr. Cherney's First Amendment rights:

- 4 Frank Doyle \$ \_\_\_\_\_
- 5 John Reikes \$ \_\_\_\_\_
- 6 Philip Sena \$ \_\_\_\_\_
- 7 Stockton Buck \$ \_\_\_\_\_
- 8 Clyde M. Sims \$ \_\_\_\_\_
- 9 Robert Chenault \$ \_\_\_\_\_
- 10 Michael Sitterud \$ \_\_\_\_\_

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This is the unanimous verdict of the jury.

Signed: \_\_\_\_\_ Date \_\_\_\_\_  
Foreperson

Print: \_\_\_\_\_  
Foreperson