

**FILED**

FEB 06 2017

SUSAN Y. SOONG  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

SANFORD S. WADLER,  
Plaintiff,

v.

BIO-RAD LABORATORIES, INC., et al.,  
Defendants.

Case No.15-cv-02356-JCS

**FINAL VERDICT FORM**

Dated: February 3, 2017

  
\_\_\_\_\_  
JOSEPH C. SPERO  
United States Magistrate Judge

United States District Court  
Northern District of California

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

United States District Court  
Northern District of California

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**I. RETALIATION IN VIOLATION OF THE SARBANES-OXLEY AND DODD-FRANK ACTS—DEFENDANTS BIO-RAD AND NORMAN SCHWARTZ**

1. Did Mr. Wadler engage in protected activity under the Sarbanes Oxley Act?

Answer: Yes No

*If your answer to Question 1 is "yes," proceed to Question 2. If your answer to Question 1 is "no," stop here, answer no further questions, and have the jury foreperson sign and date this verdict form.*

2. Were the circumstances sufficient to raise an inference that Mr. Wadler's engaging in this activity was a contributing factor in Norman Schwartz and Bio-Rad's termination of Mr. Wadler?

Answer: Yes No

*If your answer to Question 2 is "yes," proceed to Question 3. If your answer to Question 2 is "no," stop here, answer no further questions, and have the jury foreperson sign and date this verdict form.*

3. Did Bio-Rad and Norman Schwartz prove by clear and convincing evidence that they would have terminated Mr. Wadler at the same time based on wholly legitimate reasons even if Mr. Wadler had not engaged in protected activity?

Answer: Yes No

*Proceed to Question 4.*

**II. WRONGFUL DISCHARGE IN VIOLATION OF PUBLIC POLICY—  
DEFENDANT BIO-RAD**

4. Was Mr. Wadler’s engaging in protected activity under the Sarbanes-Oxley Act a substantial motivating reason for Bio-Rad’s discharge of Mr. Wadler?

Answer:  Yes  No

*If your answer to Question 4 is “yes,” proceed to Question 5. If your answer to Question 4 is “no,” but you answered “yes” to Question 2 and “no” to Question 3, proceed to Question 6. Otherwise, stop here, answer no further questions, and have the jury foreperson sign and date this verdict form.*

5. Did the discharge cause Mr. Wadler harm?

Answer:  Yes  No

*If you answered “yes” to Question 2 and “no” to Question 3, or if you answered “yes” to Question 5, proceed to Question 6. Otherwise, stop here, answer no further questions, and have the jury foreperson sign and date this verdict form.*

United States District Court  
Northern District of California

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

United States District Court  
Northern District of California

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**III. COMPENSATORY DAMAGES**

6. What are Mr. Wadler's damages, if any, for past economic loss as a result of his termination?

Answer: \$ 2,960,000

*Proceed to Question 7.*

7. What are Mr. Wadler's damages, if any, for future economic loss as a result of his termination?

Answer: \$ Ø

*Proceed to Question 8.*

8. What are Mr. Wadler's damages for mental suffering, loss of enjoyment of life, inconvenience, grief, anxiety, humiliation, and emotional distress?

Answer: \$ Ø

*Proceed to Question 9.*

**IV. PUNITIVE DAMAGES—DEFENDANT BIO-RAD**

9. Did Defendant Bio-Rad engage in the conduct upon which you base your wrongful termination in violation of public policy claim with malice, oppression, or fraud?

Answer: Yes No

*If your answer to Question 9 is "yes," then answer Question 10. If you answered "no," stop here, answer no further questions, and have the jury foreperson sign and date this verdict form.*

10. What amount of punitive damages do you award against Defendant Bio-Rad as a result of his termination?

Answer: \$ 5,000,000

*When you have finished, have the jury foreperson sign and date this verdict form.*

Dated: 2/6/17  
By: [Signature]  
[NAME]  
PRESIDING JUROR

*After this Verdict Form has been completed and signed, notify the courtroom deputy that you are ready to present your verdict in the courtroom.*

United States District Court  
Northern District of California

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28