

FILED
SUPERIOR COURT OF CALIFORNIA
COUNTY OF RIVERSIDE

NOV 14 2022

M. Youngberg

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SUPERIOR COURT FOR THE STATE OF CALIFORNIA
FOR THE COUNTY OF RIVERSIDE, PALM SPRINGS BRANCH

CHRISTOPHER ROSS,

Plaintiff,

v.

COUNTY OF RIVERSIDE,

Defendant.

CASE NO.: PSC 1403729

ASSIGNED FOR ALL PURPOSES TO
THE HONORABLE KIRA KLATCHKO
DEPARTMENT: PS1

SPECIAL VERDICT FORM

DAL

NOV 16 2022

VF-4602, VF-2408. Whistleblower Protection (Labor Code §§ 1102.5, 1102.6)

Question 1:

Did Christopher Ross have reasonable cause to believe that by notifying his supervisors of discovery of exculpatory evidence related, to, and recommending dismissal of, the Roger Parker case he was disclosing a violation of state or federal law?

_____ Yes ☒ No

If your answer to question 1 is yes, then answer question 2. If you answered no, proceed to question 9.

Question 2:

Did the County of Riverside intentionally create or knowingly permit working conditions to exist that were so intolerable that a reasonable person in Christopher Ross's position would have had no reasonable alternative except to resign?

_____ Yes _____ No

If your answer to question 2 is yes, then proceed to question 3, If your answer to question 2 is no, then proceed to question 4.

Question No. 3:

Did Christopher Ross resign because of these working conditions?

_____ / Yes _____ No

If your answer to question 3 is yes, then proceed to question 5. If your answer to question 3 is no, then proceed to question 4.

Question No. 4:

Did the County of Riverside discharge Christopher Ross and/or subject him to other adverse employment actions?

_____ Yes _____ No

If your answer to question 4 is yes, then proceed to question 5. If your answer to question 4 is no, then proceed to question 9.

Question No. 5:

1 Was Christopher Ross's disclosure of information, as described in Question 1, a contributing
2 factor in the County of Riverside's actual or constructive discharge of Christopher Ross
3 and/or other adverse employment actions against him?

4 _____ Yes _____ No

5 If your answer to question 5 is yes, then proceed to question 6. If your answer to question 5
6 is no, then proceed to question 9.

7 **Question 6:**

8 Was Christopher Ross harmed?

9 _____ Yes _____ No

10 If your answer to question 6 is yes, then proceed to question 7. If you answer to question 6 is
11 no, then proceed to question 9.

12 **Question No.7 :**

13 Was the County of Riverside's conduct a substantial factor in causing harm to Christopher
14 Ross?

15 _____ Yes _____ No

16 If your answer to question 7 is yes, then proceed to question 8. If your answer to question 7
17 is no, then proceed to question 9.

18 **Question No. 8:**

19 Did the County of Riverside prove by clear and convincing evidence that it would have
20 discharged Christopher Ross or taken other adverse employment actions against him at that
21 time, for legitimate, independent reasons?

22 _____ Yes _____ No

23 Proceed to question 9.
24
25
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1
2
3 **VF-2540. Disability Discrimination—Disparate Treatment**

4 **Question 9:**

5 Did Christopher Ross have a physical disability that limited his ability to work?

6 _____ Yes ☒ No

7 If your answer to question 9 is yes, then answer question 10. If your answered to question 9
8 is no, then proceed to question 16.

9 **Question 10:**

10 Did the County of Riverside know or perceive that Christopher Ross had a physical disability
11 that limited his ability to work?

12 _____ Yes _____ No

13 If your answer to question 10 is yes, then answer question 11. If your answer to question 10
14 is no, then proceed to question 16.

15 **Question 11:**

16 Was Christopher Ross able to perform the essential job duties of his position as a Riverside
17 County Deputy District Attorney IV-T, either with or without reasonable accommodation for
18 his physical disability?

19 _____ Yes _____ No

20 If your answer to question 11 is yes, then answer question 12. If your answer to question 11
21 is no, then proceed to question 16.

22
23 **Question 12:**

24 Did the County of Riverside actually or constructively discharge Christopher Ross and/or
25 subject him to other adverse employment actions?

26 _____ Yes _____ No

27 If your answer to question 12 is yes, then answer question 13. If your answer to question 12
28 is no, then proceed to question 16.

1 **Question 13:**

2 Was Christopher Ross's physical disability a substantial motivating reason for the County of
3 Riverside's actual or constructive discharge of Christopher Ross and/or other adverse
4 employment actions against him?

5 _____ Yes _____ No

6 If your answer to question 13 is yes, then answer question 14. If your answer to question 13
7 is no, then proceed to question 16.

8 **Question 14:**

9 Was Christopher Ross harmed?

10 _____ Yes _____ No

11 If your answer to question 14 is yes, then answer question 15. If your answer to question 14
12 is no, then proceed to question 16.

13 **Question 15:**

14 Was the County of Riverside's conduct a substantial factor in causing Christopher Ross'
15 harm?

16 _____ Yes _____ No

17 Proceed to question 16.

VF-2541. Disability Discrimination--Reasonable Accommodation

Question 16:

Did Christopher Ross have a physical disability that limited his ability to work?

_____ Yes ☒ No

If your answer to question 16 is yes, then answer question 17. If your answer to question 16 is no, then proceed to question 22.

Question 17:

Did the County of Riverside know or perceive that Christopher Ross had a physical disability that that limited his ability to work?

_____ Yes _____ No

If your answer to question 17 is yes, then answer question 18. If your answer to question 17 is no, then proceed to question 22.

Question 18:

Was Christopher Ross able to perform the essential duties of his position as a Riverside County Deputy District Attorney IV-T with reasonable accommodation for his physical disability?

_____ Yes _____ No

If your answer to question 18 is yes, then answer question 19. If your answer to question 18 is no, then proceed to question 22.

Question 19:

Did the County of Riverside fail to provide reasonable accommodation for Christopher Ross's physical disability?

_____ Yes _____ No

If your answer to question 19 is yes, then answer question 20. If your answer to question 19 is no, then proceed to question 22.

Question 20:

Was Christopher Ross harmed?

_____ Yes _____ No

If your answer to question 20 is yes, then answer question 21. If your answer to question 20 is no, then proceed to question 22.

Question 21:

Was the County of Riverside's failure to provide reasonable accommodation a substantial factor in causing harm to Christopher Ross?

_____ Yes _____ No

Proceed to question 22.

VF-2546. Failure to Engage in the Interactive Process

Question 22:

Did Christopher Ross have a physical disability that limited his ability to work?

_____ Yes ☒ No

If your answer to question 22 is yes, then proceed to question 23. If your answer to question 22 is no, then proceed to question 29.

Question 23:

Did the County of Riverside know or perceive that Christopher Ross had a physical disability that limited his ability to work?

_____ Yes _____ No

If your answer to question 23 is yes, then answer question 24. If your answer to question 23 is no, proceed to question 29.

Question 24:

Did Christopher Ross request that the County of Riverside make reasonable accommodation for his physical disability so that he would be able to perform the essential job requirements of a Riverside County Deputy District Attorney IV-T?

☒ Yes _____ No

If your answer to question 24 is yes, then answer question 25. If your answer to question 24 is no, then proceed to question 29.

Question 25

Was Christopher Ross willing to participate in an interactive process to determine whether reasonable accommodation could be made so that he would be able to perform the essential job requirements of a Riverside County Deputy District Attorney IV-T?

_____ Yes _____ No

If your answer to question 25 is yes, then answer question 26. If your answer to question 25 is no, then proceed to question 29.

Question 26:

1 Did the County of Riverside failed to participate in a timely, good- faith interactive process
2 with Christopher Ross to determine whether reasonable accommodation could be made?

3 _____ Yes _____ No

4 If your answer to question 26 is yes, then answer question 27. If your answer to question 26
5 is no, then proceed to question 29.

6 **Question 27:**

7 Was Christopher Ross harmed?

8 _____ Yes _____ No

9 If your answer to question 27 is yes, then answer question 28. If your answer to question 27
10 is no, then proceed to question 29.

11 **Question 28:**

12 Was County of Riverside's failure to participate in a good-faith interactive process a
13 substantial factor in causing harm to Christopher Ross?

14 _____ Yes _____ No

15 Proceed to Question 29.

Damages

Question 29:

If you answered no to question 8 or answered yes to one or more of questions 15, 21 or 28, then answer this question 29. If you answered yes to question 8 or left question 8 blank and did not answer yes to any of questions 15, 21, or 28 (which includes leaving those questions blank), then stop here, answer no further questions, and have the presiding juror sign and date this form.

Q. What are Christopher Ross's damages?

Economic damages:

(a) Past economic loss: \$ _____

(b) Present cash value of future economic loss \$ _____

Noneconomic damages:

(a) Past noneconomic damages:
\$ _____

(b) Future noneconomic damages:
\$ _____

TOTAL ECONOMIC AND NONECONOMIC DAMAGES

\$ _____

Instructions: STOP. Have the presiding juror sign and date this verdict form and notify the court attendant/bailiff that you are ready to present your verdict in the courtroom.

Signed:  Dated: 11/14/22
Presiding Juror