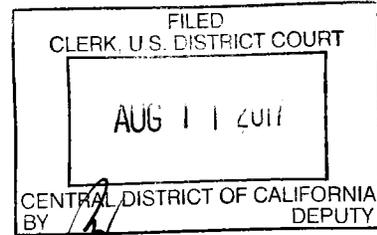


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**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA, WESTERN DIVISION**

HALEY VIDECKIS and LAYANA
WHITE, individuals,

Plaintiffs,

v.

PEPPERDINE UNIVERSITY, a
corporation doing business in
California,

Defendant.

CASE NO. 2:15-CV-00298-DDP (JCx)
**VERDICT FORM FOR PLAINTIFF
LAYANA WHITE**
[Assigned to Hon. Dean D. Pregerson,
Courtroom 9C]

VIOLATION OF RIGHT OF PRIVACY

1. Did Plaintiff Layana White have a reasonable expectation of privacy?

_____ X _____
Yes No

If your answer to question 1 is yes, answer question 2. If your answer to question 1 is no, go to and answer question 10.

2. Did Defendant Pepperdine University intentionally intrude into Plaintiff White's privacy?

_____ _____
Yes No

1 *If your answer to question 2 is yes, answer question 3. If your answer to*
2 *question 2 is no, go to and answer question 10.*

3

4 3. Did Plaintiff White consent to Defendant Pepperdine’s intrusion into
5 her privacy?

6

7

Yes No

8 *If your answer to question 3 is no, answer question 4. If your answer to*
9 *question 3 is yes, go to and answer question 10.*

10 Layana White

11 4. Was Defendant Pepperdine’s intrusion into Plaintiff White’s privacy
12 justified?

13

14

Yes No

15 *If your answer to question 4 is yes, answer question 5. If your answer to*
16 *question 4 is no, go to and answer question 6.*

17

18 5. If you found Defendant Pepperdine’s intrusion into Plaintiff White’s
19 privacy was justified, did Plaintiff White prove there was a practical, effective, and
20 less invasive method of achieving Defendant Pepperdine’s purpose?

21

22

Yes No

23 *If your answer to question 5 is yes, answer question 6. If your answer to*
24 *question 5 is no, go to and answer question 10.*

25 ///

26 ///

27 ///

28 ///

1 6. Would Defendant Pepperdine’s intrusion into Plaintiff White’s privacy
2 be highly offensive to a reasonable person?

3 _____ _____

4 Yes No

5 *If your answer to question 6 is yes, answer question 7. If your answer to*
6 *question 6 is no, go to and answer question 10.*

7

8 7. Was Plaintiff White harmed by Defendant Pepperdine intruding into
9 her privacy?

10 _____ _____

11 Yes No

12 *If your answer to question 7 is yes, answer question 8. If your answer to*
13 *question 7 is no, go to and answer question 10.*

14

15 8. Was Defendant Pepperdine’s conduct intruding into her privacy a
16 substantial factor in causing Plaintiff White harm?

17 _____ _____

18 Yes No

19 *If your answer to question 8 is yes, answer question 9. If your answer to*
20 *question 8 is no, go to and answer question 10.*

21

22 9. Did Plaintiff White prove by clear and convincing evidence that
23 Defendant Pepperdine acted with malice, oppression, or fraud in intruding into her
24 privacy?

25 _____ _____

26 Yes No

27 *Whether your answer to question 9 is yes or no, go to and answer question*
28 *10.*

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VIOLATION OF TITLE IX AND EDUCATION CODE §66270

10. Did Plaintiff Layana White suffer discrimination and/or harassment based upon her sexual orientation, and/or retaliation for making complaints about discrimination or harassment based upon her sexual orientation?

_____ X _____
Yes No

If your answer to question 10 is yes, answer question 11. If your answer to question 10 is no, go to and answer question 15.

11. Was the discrimination, harassment, and/or retaliation suffered by Plaintiff White so severe, pervasive, and objectively offensive that it effectively deprived her of the right of equal access to educational benefits and opportunities?

_____ _____
Yes No

If your answer to question 11 is yes, answer question 12. If your answer to question 11 is no, go to and answer question 15.

12. Did Defendant Pepperdine have actual knowledge of the discrimination, harassment, and/or retaliation suffered by Plaintiff White?

_____ _____
Yes No

If your answer to question 12 is yes, answer question 13. If your answer to question 12 is no, go to and answer question 15.

///
///
///
///

1 13. Did Defendant Pepperdine act with deliberate indifference in the face
2 of its knowledge?

3 _____
4 Yes No

5 *If your answer to question 13 is yes, answer question 14. If your answer to*
6 *question 13 is no, go to and answer question 15.*

7
8 14. Did Plaintiff White prove by clear and convincing evidence that
9 Defendant Pepperdine acted with malice, oppression, or fraud?

10 _____
11 Yes No

12 *Whether your answer to question 14 is yes or no, go to and answer question*
13 *15.*

14
15 **UNRUH CIVIL RIGHTS ACT**

16 15. Did Defendant Pepperdine University deny full and equal access to
17 accommodations, advantages, facilities, privileges, or services to Plaintiff Layana
18 White?

19 _____ X _____
20 Yes No

21 *If your answer to question 15 is yes, answer question 16. If your answer to*
22 *question 15 is no, go to and answer question 19.*

23
24 16. Was Defendant Pepperdine’s perception of Plaintiff White’s sexual
25 orientation a substantial motivating reason for Defendant Pepperdine’s conduct?

26 _____
27 Yes No

1 *If your answer to question 16 is yes, answer question 17. If your answer to*
2 *question 16 is no, go to and answer question 19.*

3

4 17. Was Plaintiff White harmed?

5 _____
6 Yes No

7 *If your answer to question 17 is yes, answer question 18. If your answer to*
8 *question 17 is no, go to and answer question 19.*

9

10 18. Was Defendant Pepperdine’s conduct a substantial factor in causing
11 harm to Plaintiff White?

12 _____
13 Yes No

14 *Whether your answer to question 18 is yes or no, go to and answer question*
15 *19.*

16

17 **INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS**

18

19 19. Was Defendant Pepperdine University’s conduct outrageous?

20 _____ X _____
21 Yes No

22 *If your answer to question 19 is yes, answer question 20. If your answer to*
23 *question 19 is no, go to and answer question 24.*

24

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1 20. Did Defendant Pepperdine intend to cause Plaintiff White emotional
2 distress or act with reckless disregard of the probability Plaintiff White would suffer
3 emotional distress?

4 _____ _____
5 Yes No

6 *If your answer to question 20 is yes, answer question 21. If your answer to*
7 *question 20 is no, go to and answer question 24.*

8

9 21. Did Plaintiff White suffer severe emotional distress?

10 _____ _____
11 Yes No

12 *If your answer to question 21 is yes, answer question 22. If your answer to*
13 *question 21 is no, go to and answer question 24.*

14

15 22. Was Defendant Pepperdine’s conduct a substantial factor in causing
16 Plaintiff White’s severe emotional distress?

17 _____ _____
18 Yes No

19 *If your answer to question 22 is yes, answer question 23. If your answer to*
20 *question 22 is no, go to and answer question 24.*

21

22 23. Did Plaintiff White prove by clear and convincing evidence that
23 Defendant Pepperdine acted with malice, oppression, or fraud?

24 _____ _____
25 Yes No

26 *Whether your answer to question 23 is yes or no, go to and answer question*
27 *24.*

28

DAMAGES

24. If you answered yes to questions 8, 13, 18, or 22 then specify Plaintiff Layana White's damages by inserting numbers in the blank spaces below. If you did not answer yes to any of these questions, do not insert any numbers in the blanks and have the presiding juror sign and date this form and submit it to the Court.

a. Past economic loss \$ _____

b. Future economic loss \$ _____

c. Past noneconomic loss, including physical pain/mental suffering: \$ _____

d. Future noneconomic loss, including physical pain/mental suffering: \$ _____

TOTAL \$ _____

If your answer to question 18 is yes, then answer question 25.

25. If your answer to question 18 was yes, what amount, if any, do you award as a penalty against Pepperdine for its violation of the Unruh Act:

\$ _____

Once you have completed the verdict form, have the presiding juror sign and date it and submit it to the Court.

DATED: August 11th 2017