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17 UNITED STATES DISTRICT COURT  
 18 NORTHERN DISTRICT OF CALIFORNIA

19 U.S. EQUAL EMPLOYMENT  
 OPPORTUNITY COMMISSION,

20 Plaintiff,

21 and

22 ADRIAN SCOTT DUANE,

23 Plaintiff Intervenor,

24 vs.

25 IXL Learning, Inc.,

26 Defendant.  
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Case No.: 3:17-cv-02979-VC

**PLAINTIFFS' OBJECTIONS/PROPOSED  
 MODIFICATIONS TO PROPOSED  
 VERDICT FORM**

Courtroom: 4, 17<sup>th</sup> Floor  
 Judge: Hon. Vince Chhabria

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Plaintiffs propose the following modifications to the proposed verdict form =:

- 1. Question No. 5 refers to “non-economic damages.” However, this phrase is not included in the jury instructions and may lead to jury confusion. Therefore, Plaintiffs propose the following modification to Question No. 5: “What amount do you award Mr. Duane as compensation for any emotional pain and suffering for the Title VII violation?”

Respectfully submitted,

Dated: October 26, 2018

EQUAL EMPLOYMENT  
OPPORTUNITY COMMISSION

By: /s/ Ami Sanghvi  
AMI SANGHVI, Senior Trial Attorney  
Attorney for Plaintiff EEOC

Dated: October 26, 2018

THE MAREK LAW FIRM

By: /s/ David Marek  
DAVID MAREK  
Attorney for Plaintiff-Intervenor Duane

**LOCAL RULE 5-1(i)(3) ATTESTATION**

I, Ami Sanghvi, am the ECF User whose ID and password are being used to file the Plaintiffs’ Objections/Proposed Modifications. In compliance with Local Rule 5-1(i)(3), I hereby attest that David Marek concurred in this filing

Dated: October 26, 2018

/s/ Ami Sanghvi  
AMI SANGHVI, Senior Trial Attorney