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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

SCOTT KINGSTON,

Plaintiff,

v.

INTERNATIONAL BUSINESS
MACHINES CORPORATION,

Defendant.

CASE NO. C19-1488 MJP

SPECIAL VERDICT FORM

We the jury, provide the following answers to the questions submitted by the Court:

QUESTION NO. 1: As to Claim 1, has Mr. Kingston proved his claim for retaliation in violation of the Washington Law Against Discrimination?

ANSWER: Yes (write Yes or No).

1 **QUESTION NO. 2:** As to Claim 2, has Mr. Kingston proved his claim for wrongful
2 termination in violation of public policy regarding race discrimination?

3 ANSWER: Yes (write Yes or No).

4
5 **QUESTION NO. 3:** As to Claim 3, has Mr. Kingston proved his claim for wrongful
6 termination in violation of public policy regarding the withholding of wages of Jerome Beard?

7 ANSWER: Yes (write Yes or No).

8
9 **QUESTION NO. 4:** As to Claim 4, has Mr. Kingston proved his claim for unpaid
10 commissions to Mr. Kingston from the first quarter of 2018?

11 ANSWER: Yes (write Yes or No).

12 *If you answered "Yes" to any of Questions 1 through 4, please answer Question 5. If you*
13 *answered "No" to Questions 1, 2, 3, and 4, then do not answer the remaining questions, and*
14 *please sign and date the special verdict form.*

15
16 **QUESTION NO. 5:** Did Mr. Kingston suffer damages proximately caused by the actions
17 of International Business Machines Corp.?

18 ANSWER: Yes (write Yes or No).

19 *If you answered "Yes" to Question No. 5, please answer Question No. 6. If you answered*
20 *"No" to Question No. 5, then do not answer the remaining questions, and please sign and date*
21 *the special verdict form.*

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1 **QUESTION NO. 6:** What do you find to be the amount of damages sustained by Mr.
2 Kingston?

3 Economic damages, if any, in the following categories:

4	A. Past Economic Loss	\$ <u>1,874,302</u>
5	B. Future Economic Loss	\$ <u>3,097,642</u>
6	C. Unpaid Sales Commissions	\$ <u>113,728</u>

7 Non-economic damages:

8	D. Emotional Harm	\$ <u>6,000,000</u>
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10 **Presiding Juror, please sign and date this Special Verdict Form. You may sign this by**
11 **writing: /s [presiding juror name].**

12 Dated: April 15, 2021.

