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IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF SAN FRANCISCO

FILED
San Francisco County Superior Court

MAR 17 2017

CLERK OF THE COURT

BY: Gregoria Alameda
Deputy Clerk

JOANNE HOEPER,

Plaintiffs,

vs.

CITY AND COUNTY OF SAN
FRANCISCO, and DOES ONE through
TWENTY, inclusive,

Defendants.

Case No. CGC-15-543553

VERDICT FORM

We answer the questions submitted to us as follows:

RETALIATION IN VIOLATION OF THE CALIFORNIA WHISTLEBLOWING ACT
Labor Code section 1102.5

1. Was the City and County of San Francisco Joanne Hoeper's employer?

Answer: ☒ Yes ☐ No

If your answer to question 1 is yes, then answer question 2. If you answered no, stop here,
answer no further questions, and have the presiding juror sign and date this form.

2. Did the City and County of San Francisco believe that Joanne Hoeper had
disclosed to her superiors information about the commission of unlawful acts.

Answer: ☒ Yes ☐ No

VERDICT FORM

1 If your answer to question 2 is yes, then answer question 3. If you answered no, then
2 answer question 8.

3 3. Did Joanne Hoeper have reasonable cause to believe that the information disclosed
4 a violation of state or federal law?

5 Answer: ☒ Yes ☐ No
6

7 If your answer to question 3 is yes, then answer question 4. If you answered no, then
8 answer question 8.

9 4. Did the City and County of San Francisco terminate Joanne Hoeper's
10 employment?

11 Answer: ☒ Yes ☐ No
12

13 If your answer to question 4 is yes, then answer question 5. If you answered no, stop here,
14 answer no further questions, and have the presiding juror sign and date this form.

15 5. Was Joanne Hoeper's disclosure of information a contributing factor in the City
16 and County of San Francisco's decision to terminate her employment?

17 Answer: ☒ Yes ☐ No
18

19 If your answer to question 5 is yes, then answer question 6. If you answered no, then
20 answer question 8.

21 6. Was the City and County of San Francisco's conduct a substantial factor in
22 causing harm to Joanne Hoeper?

23 Answer: ☒ Yes ☐ No
24

25 If your answer to question 6 is yes, then answer question 7. If you answered no, then
26 answer question 8.

27 7. Would the City and County of San Francisco have terminated Joanne Hoeper's
28 employment anyway at that time, for legitimate, independent reasons?

1 Answer: ____ Yes ☒ No

2 If your answer to question 7 was either yes or no, then answer question 8.

3 **RETALIATION IN VIOLATION OF THE FALSE CLAIMS ACT**
4 **Government Code section 12653**

5 8. Did Joanne Hoeper act to stop a false claim?

6 Answer: ☒ Yes ____ No

7 If your answer to question 8 is yes, then answer question 9. If your answer to question 8 is
8 no and your answer to question 7 is no, then answer question 12. If your answer to question 7 is
9 yes or you did not reach question 7, and your answer to question 8 is no, stop here, answer no
10 further questions, and have the presiding juror sign and date this form.

11
12 9. Were Joanne Hoeper's acts to stop a false claim a substantial motivating reason for
13 the City and County of San Francisco's decision to terminate her?

14 Answer: ☒ Yes ____ No

15 If your answer to question 9 is yes, then answer question 10. If your answer to question 9
16 is no and your answer to question 7 is no, then answer question 12. If your answer to question 7 is
17 yes or you did not reach question 7, and your answer to question 9 is no, stop here, answer no
18 further questions, and have the presiding juror sign and date this form.

19
20 10. Was the City and County of San Francisco's termination of Ms. Hoeper a
21 substantial factor in causing her harm?

22 Answer: ☒ Yes ____ No

23 If your answer to question 10 is yes, then answer question 11. If your answer to question
24 10 is no and your answer to question 7 is no, then answer question 12. If your answer to question
25 7 is yes or you did not reach question 7, and your answer to question 10 is no, stop here, answer
26 no further questions, and have the presiding juror sign and date this form.

1 11. Would the City and County of San Francisco have terminated Ms. Hoeper's
2 employment anyway at that time for legitimate, independent reasons?

3 Answer: ____ Yes ☒ No

4 If your answer to question 7 and/or question 11 is no, then answer question 12. If your
5 answer to question 7 is yes and your answer to question 11 is yes, stop here, answer no further
6 questions, and have the presiding juror sign and date this form.
7

8
9 **DAMAGES**

10 12. What are Ms. Hoeper's damages as a result of her termination?

11 Past lost earnings: \$ 601,630

12 Future lost earnings: \$ 136,318

13 Emotional distress, mental anguish, and humiliation: \$ \$1,291,409

14
15 Proceed to question 13.

16 13. Did Ms. Hoeper fail to take reasonable steps to mitigate her damages?

17 Answer: ____ Yes ☒ No

18 If your answer to question 13 is yes, then answer question 14. If your answer to question
19 15 is no, stop here.

20 14. After taking into account Ms. Hoeper's failure to mitigate, what are Ms. Hoeper's
21 damages?

22 Past lost earnings: \$ _____

23 Future lost earnings: \$ _____

24 Emotional distress, mental anguish, and humiliation: \$ _____

25 Sign and date this form.

26 Dated: March 7, 2017

27 
28 Foreperson