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UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

DAVID F. JADWIN, D.O.,

Plaintiff,

v.

COUNTY OF KERN, et al.,

Defendants.

Civil Action No. 1:07-cv-00026 OWW DLB

PLAINTIFF'S PROPOSED JURY  
QUESTIONNAIRE; OR ALTERNATIVELY  
PROPOSED VOIR DIRE QUESTIONS.

Complaint Filed: January 6, 2007  
Trial Date: May 12, 2009

Pursuant to the Court's rulings from the bench at the Pre-Trial Conference held on April 20, 2009, Plaintiff respectfully submits his proposed Jury Questionnaire attached hereto as Exhibit 1, and incorporated by reference herein. If the Court finds the proposed Jury Questionnaire is inappropriate, then Plaintiff alternatively requests that the questions contained in the Jury Questionnaire be converted into *voir dire* questions to be asked by the Court of prospective jurors, in addition to any standard *voir dire* questions which the Court intends to ask.

Respectfully submitted on May 5, 2009.

/s/ Eugene D. Lee SB# 236812  
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Attorney for Plaintiff DAVID F. JADWIN, D.O.

**Juror Questionnaire**  
**United States District Court, Fresno Division**  
**Judge Oliver W. Wanger**

**INSTRUCTIONS:** Thank you for coming to court as a potential juror. The judge and the people involved in this case need to know some things about you to select jurors who can be fair to both sides.

As a juror, you must return a verdict based on the law and on the facts proved in court, not on emotion or on other views or facts not supported by the evidence. The judge will give you instructions on the law and on how you should go about deciding the case. You must listen to and follow the judge's instructions.

Of course, everyone has attitudes and opinions which come from their life experiences that they bring into the courtroom. Sometimes these experiences can make it difficult to look at a certain issue in an unbiased and unemotional way. The questions on this form are designed to address that concern to ensure that you can be a fair and impartial juror for this case. They are not asked to invade your privacy or make you uncomfortable. If there is any reason why you might not be able to give both sides a fair trial in this case, you have a duty to say so.

**PLEASE PRINT ALL ANSWERS. IF THERE IS NOT ENOUGH ROOM TO ANSWER COMPLETELY, PLEASE CONTINUE ON A BLANK PIECE OF PAPER AND WRITE THE QUESTION NUMBER NEXT TO THE ANSWER IT GOES TO.**

**PART I**

<b>Juror #</b>	<b>Full Name:</b>	<b>Gender:</b> <input type="checkbox"/> Female <input type="checkbox"/> Male <b>Age:</b> _____
<b>1. In which county do you currently live (do not give your address):</b> <input type="checkbox"/> Calaveras <input type="checkbox"/> Fresno <input type="checkbox"/> Inyo <input type="checkbox"/> Kern <input type="checkbox"/> Kings <input type="checkbox"/> Madera <input type="checkbox"/> Mariposa <input type="checkbox"/> Merced <input type="checkbox"/> Stanislaus <input type="checkbox"/> Tulare		<b>2. With regard to your home:</b> <input type="checkbox"/> Own <input type="checkbox"/> House <input type="checkbox"/> Rent <input type="checkbox"/> Apartment
<b>3. Date and Place of Birth:</b>		<b>4. Is English your first language?</b> <input type="checkbox"/> Yes <input type="checkbox"/> No IF NO, what is? _____
<b>5. Your current or most recent occupation:</b>		<b>6. Your current marital status:</b> <input type="checkbox"/> Never married, living alone <input type="checkbox"/> Divorced for ___ years <input type="checkbox"/> Engaged <input type="checkbox"/> Separated for ___ years <input type="checkbox"/> Married or partnered, ___ yrs <input type="checkbox"/> Widowed for ___ years
<b>7. Your present employment status (check all that apply):</b> <input type="checkbox"/> Employed part-time <input type="checkbox"/> Retired <input type="checkbox"/> Employed full time <input type="checkbox"/> Homemaker <input type="checkbox"/> Student <input type="checkbox"/> Unemployed, looking for work <input type="checkbox"/> Unemployed, not looking for work		
<b>8. What are your specific duties and responsibilities on the job?</b>		
<b>9. a. Do you supervise others?</b> <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, how many? _____ <b>b. Do you have authority to discipline, hire or fire others?</b> <input type="checkbox"/> Yes <input type="checkbox"/> No		
<b>10. Your highest level of education completed:</b> <input type="checkbox"/> Grade school or less <input type="checkbox"/> Technical or vocational school (major): _____ <input type="checkbox"/> High school graduate <input type="checkbox"/> College graduate (major): _____ <input type="checkbox"/> Some college or AA degree <input type="checkbox"/> Post graduate study (major): _____ <input type="checkbox"/> <b>Other (please explain):</b> _____		
<b>11. All other employment you have had (and for how long):</b>		

<http://www.jdsupra.com/post/documentViewer.aspx?id=90883a15-181c-4b71-a6dc-86cf11bb0f4b>

<p><b>12. All full-time employment of your spouse or any person with whom you have a significant personal relationship (and for how long):</b></p>	
<p><b>13. Have you or has anyone close to you had training or work experience in any of the following?</b>                  ___ Medical services                      ___ Mental health services                      ___ Insurance claims                  ___ Human resources                      ___ Workplace discrimination                      ___ Law  <b>If you have checked any of the above, please explain:</b> _____                  _____                  _____</p>	
<p><b>14. What social, civic, professional, trade, or other organizations are you affiliated with?</b>                   Describe any offices held: _____</p>	<p><b>15. Are you or is anyone close to you a member of a union?</b>                  ___ Yes    ___ No                  If yes, explain: _____                  _____</p>
<p><b>16. Have you ever been on a jury before?</b> ___ Yes    ___ No  <b>Was it:</b> ___ Civil?    ___ Criminal?  <b>If yes, did you reach a verdict?</b> ___ Yes    ___ No</p>	<p><b>17. How satisfied would you say that you are with your current financial situation?</b>                  ___ Very    ___ More or Less    ___ Not very satisfied</p>
<p><b>18. Have you or has anyone close to you ever <u>sued or been sued</u> in any type of lawsuit, explain:</b>                  ___ Sued                      ___ Been Sued                  Explain: _____                  _____                  _____</p>	<p><b>19. Do you feel that money damages in lawsuits are (check one):</b>                  ___ Often too large    ___ Often too low                  ___ About right    ___ Other (specify): _____</p>
<p><b>20. Do you agree or disagree with awarding someone money damages for:</b>  <b>Past future wage loss:</b> ___ Agree    ___ Disagree  <b>Future wage loss:</b> ___ Agree    ___ Disagree  <b>Pain, suffering and emotional distress?</b>                  ___ Agree    ___ Disagree</p>	<p><b>21. Have you, or has anyone close to you, ever been accused of or been a victim of discrimination in a job situation?</b>                  ___ Yes, I have    ___ Yes, someone close has    ___ No                  If yes, explain: _____                  _____</p>
<p><b>22. Have you or someone close to you ever been accused of or been a victim of inappropriate or unfair treatment in a job situation?</b> ___ Yes    ___ No                  If yes, explain: _____                  _____</p>	<p><b>23. How much of a problem is discrimination in the workplace?</b>                  ___ Large problem                  ___ Somewhat of a problem                  ___ Not a problem</p>
<p><b>24. Have you, or has anyone close to you, ever been demoted, terminated, or laid off from a job?</b>                  ___ Yes, demoted                      ___ Yes, terminated                  ___ Yes, laid-off                      ___ No                  If yes, explain: _____                  _____</p>	<p><b>25. Have you ever been involved in disciplining or terminating someone or implementing a lay off?</b>                  ___ Yes    ___ No                  If yes, explain: _____                  _____</p>
<p><b>26. Have you or anyone close to you ever missed a significant amount of time from work for health reasons (excluding pregnancy)?</b> ___ Yes    ___ No                  If yes, explain: _____                  _____</p>	<p><b>27. Have you ever felt as though your workload or position was affected by a co-worker being on medical or disability leave or restrictions?</b> ___ Yes    ___ No                  If yes, explain: _____                  _____</p>
<p><b>28. Generally, how fair do you think employers are to their employees?</b>                  ___ Very    ___ Somewhat fair    ___ Not very    ___ Not at all</p>	<p><b>29. Do you believe that most employees today don't take enough responsibility for their own actions?</b>                  ___ Yes    ___ No                  If yes, explain: _____                  _____</p>

<http://www.jdsupra.com/post/documentViewer.aspx?id=90883a15-18fc-4b71-abdc-86cf11bb0f4b>

<p><b>30. Do you believe that many people use claims of discrimination or harassment as an excuse for their own shortcomings or poor work performance?</b>                  ___Yes ___No                  If yes, explain: _____                  _____                  _____</p>	<p><b>31. Do you believe there are too many governmental restrictions on what employers can and cannot do regarding their employees?</b> ___Yes ___No                  If yes, explain: _____                  _____                  _____</p>
<p><b>32. Some people think that we as a society have gone overboard trying to accommodate workers with disabilities and/or medical conditions. Do you:</b>                  ___Agree or ___Disagree?                  Explain: _____                  _____                  _____</p>	<p><b>33. Have you or a family member been diagnosed with anxiety or depressive disorder?</b> ___Yes ___No                  If yes, explain: _____                  _____                  _____</p>
<p><b>34. Have you or anyone close to you ever received treatment from a psychiatrist or psychologist for a major mental illness?</b> ___Yes ___No                  If yes, explain: _____                  _____                  _____</p>	<p><b>35. Have you or anyone close to you ever worked at, been a patient at, or had any other contact with Kern Medical Center (KMC)?</b> ___Yes ___No                  If yes, explain: _____                  _____                  _____</p>
<p><b>36. Do you have any particularly positive or negative impressions of Kern Medical Center (KMC)?</b>                  ___Yes ___No                  If yes, describe: _____                  _____</p>	<p><b>37. Have you or anyone close to you ever worked for the County of Kern, or any other public or governmental agency?</b> ___Yes ___No</p>
<p><b>38. Do you believe there should be limits on the ability to sue government agencies like a County run medical center?</b> ___Yes ___No</p>	<p><b>39. This case involves a dispute between an employer and an employee with a disability. Is there any reason why you might not be an appropriate juror in a case with these issues?</b> ___Yes ___No</p>
<p><b>40. Describe any problems (vision, hearing, dental or other medical problems) that might affect your jury service.</b></p>	
<p><b>41. Do you have any ethical, religious, political or other beliefs that might prevent you from serving as a juror?</b>                  ___Yes ___No</p>	<p><b>IF YES TO 41 and/or 42, please explain:</b></p>
<p><b>42. Is there anything not covered by this questionnaire that might affect your ability to be a fair and impartial juror?</b>                  ___Yes ___No</p>	
<p><b>43. The attorneys may need to ask you follow up questions. Are there any questions you would prefer to discuss in private?</b>                  ___Yes ___No</p>	

(please continue to Part 2 on the next page)

**PART 2**

Below is a list of people and entities that are in some way connected to this case, whether as parties, witnesses or lawyers working on the case. If you know or have any close association with any of these individuals and/or entities (such as a business relationship or social connection), please indicate this by placing a checkmark next to that individual or entity's name.

√	<b>Parties</b>	√	<b>Attorneys Associated With This Case</b>
	David F. Jadwin, D.O.		Eugene Lee
			Joan Herrington
	The County of Kern		Mark Wasser
			Mark Nations
<b>Possible Witnesses</b>			
	Jennifer Abraham, M.D.		Gilbert Martinez
	George Alkhouri, M.D.		Thomas McAfee, M.D.
	Elsa Ang, M.D.		Albert McBride, M.D.
	Dennis Arquette		Dianne McConnehey, R.N.
	Erin Baldwin, M.D.		John McQuiston
	Karen Barnes, Esq.		Ana Moreno
	Constantine M. Boukidis		Alan Morrill
	Peter Bryan		Javad Naderi, M.D.
	Robert Burchuk, M.D.		Murali Naidu, M.D.
	Michele Burris		Renita Nunn
	Sandra Chester		Steve O'Connor
	Mary Cortez		Ravindranath Patel, M.D.
	David K. Culberson		Barbara Patrick
	Phillip Dutt, M.D.		Jose Perez, M.D.
	Soheil Etesham, M.D.		Leonard Perez, M.D.
	Michael Ewald		Patricia Perez
	Wafika Fahmy, M.D.		Bonnie Quinonez
	Yolanda Figueroa		Alan Scott Ragland, M.D.
	Evangeline Gallegos-Tolentino		Arlene Ramos-Aninion
	Stacey Lynne Garry, M.D.		Anthony Reading
	Carol Gates		Stephanie Rizzardi
	Kathy Griffith		William Roy, M.D.
	Frances Hardin		Michael Rubio
	Irwin Harris, M.D.		Homayoun Sadeghi, M.D.
	Paul Hensler		Rick A. Sarkisian, Ph.D.
	Tony V. Hoang		Savita P. Shertukde, M.D.
	Penny Jadwin		Toni Smith, R.N.
	Royce Johnson, M.D.		Irene Spinello, MD
	Eugene Kercher, M.D.		James Sproul, M.D.
	Chester Lau		Tracy Subriar
	Regina Levison		Edward Taylor, M.D.
	Tracy Lindsey		Jane Thornton
	Fanglou Liu, M.D.		Ray Watson
	Don Maben		Carol Wedding
	Michael Maggard		Lawrence Weiss, M.D.
	Joseph Mansour, M.D.		Gian A. Yakoub
	Maureen Martin, M.D.		Tai Yoo, M.D.

