

ORIGINAL

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
SOUTHERN DIVISION  
NO. 7:07-CV-64-H

FILED IN OPEN COURT  
ON 3/20/14 (LL)  
Julie A. Richards, Clerk  
US District Court  
Eastern District of NC

MICHAEL S. ADAMS, )

Plaintiff, )

v. )

THE TRUSTEES OF THE UNIVERSITY )

OF NORTH CAROLINA-WILMINGTON, )

DENNIS P. BURGARD, WILMA W. )

DANIELS, MICHAEL R. DRUMMOND, H. )

CARLTON FISHER, YVONNE W. KIDD, )

HENRY L. KITCHIN, JR., C. )

PHILLIP MARION, JR., RONALD B. )

MCNEILL, WENDY F. MURPHY, BRITT )

A. PREYER, MICHAEL B. SHIVAR, )

MAURICE R. SMITH, and ZACHARY C. )

STEFFEY, all in their official )

capacities; ROSEMARY DEPAOLO, )

individually; DAVID P. CORDLE, )

individually; KIMBERLY J. COOK, )

individually; DIANE LEVY, )

individually; LESLIE HOSSFELD, )

in her official capacity as )

Chair of the Department of )

Sociology and Criminology at the )

University of North Carolina- )

Wilmington; STEPHEN MCNAMEE, in )

his official capacity as interim )

Dean of the School of Arts and )

Sciences at the University of )

North Carolina-Wilmington; and )

GARY L. MILLER, in his official )

capacity as Chancellor at the )

University of North Carolina- )

Wilmington, )

Defendants. )

VERDICT FORM

We, the members of the jury, find as follows:

I. SUBSTANTIAL OR MOTIVATING FACTOR ELEMENT

Was the plaintiff's speech activity a substantial or motivating factor in the defendants' decision to not promote the plaintiff?

yes

(Yes or No)

(NOTE: You will reach the second issue only if you answer "Yes" to this first issue. If your verdict is "No," skip to the bottom of this page and have the foreperson sign and date the verdict form and return to the courtroom.)

II. AFFIRMATIVE DEFENSE

Would the defendants have reached the same decision not to promote the plaintiff even in the absence of the plaintiff's speech activity?

NO

(Yes or No)

SO SAY WE ALL.

**REDACTED VERSION**  
Pursuant to the E-Government Act and the federal rules, the unredacted version of this document has been filed under seal.

\_\_\_\_\_  
Foreperson

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3-20-14  
Date