

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO**

Civil Action No. 14-cv-03420

ESMERALDO VILLANUEVA ECHON JR.;
MARIBEL ECHON;
and JUSTIN ECHON,

Plaintiffs,

v.

WILLIAM SACKETT, and LEONIDA SACKETT,

Defendants.

PLAINTIFFS' PROPOSED VERDICT FORM

Pursuant to this Court's Order Setting Case for Trial, ECF No. 123, Plaintiffs Esmeraldo Villanueva Echon Jr., Maribel Echon and Justin Echon, through undersigned counsel, hereby submit this proposed verdict form.

Dated January 12, 2018

s/ Jenifer Rodriguez
Jenifer Rodriguez
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Attorneys for Plaintiffs

VERDICT FORM

We the jury, on our oaths, present our Answers to Questions submitted by the court to which we have all agreed:

SECTION ONE: COLORADO WAGE LAWS

1. Failure to pay wages in violation of the Colorado Wage Laws

Did Plaintiffs perform work for Defendants without being paid for all of their hours worked in violation of the Colorado Wage Laws?

Esmeraldo Echon, Jr. _____ **YES** _____ **NO**

Maribel Echon _____ **YES** _____ **NO**

Justin Echon _____ **YES** _____ **NO**

2. Amount of wages owed

If you answered “Yes” to Question No. 1 as to any of the Plaintiffs, what is the total amount of unpaid wages each Plaintiff is owed by Defendants?

Esmeraldo Echon, Jr. \$ _____

Maribel Echon \$ _____

Justin Echon \$ _____

3. Willful

If you answered “Yes” to Question No. 1 as to any Plaintiff, was Defendants’ failure to pay any Plaintiff the proper wages for their work willful?

Esmeraldo Echon, Jr. _____ **YES** _____ **NO**

Maribel Echon _____ **YES** _____ **NO**

Justin Echon _____ **YES** _____ **NO**

4. Date of work separation

If you answered “Yes” to Question No. 1 as to any Plaintiff, do you find that any Plaintiff stopped working for Defendants after August 11, 2014?

Esmeraldo Echon, Jr. _____ **YES** _____ **NO**

Maribel Echon _____ **YES** _____ **NO**

Justin Echon _____ **YES** _____ **NO**

CONTINUE TO NEXT SECTION

SECTION TWO: FORCED LABOR (18 U.S.C. § 1589(a) and/or (b))

1. 1589(a)

a. Did Defendant **LEONIDA SACKETT** knowingly provide or obtain the labor or services of the plaintiff by threats of serious harm to the plaintiff or another person; by means of the threatened abuse of law or legal process; or by means of any scheme, plan, or pattern intended to cause the plaintiff to believe that, if he did not perform such labor or services, the plaintiff or another person would suffer serious harm?

Esmeraldo Echon, Jr. **YES** **NO**

Justin Echon **YES** **NO**

b. Did Defendant **WILLIAM SACKETT** knowingly provide or obtain the labor or services of the plaintiff by threats of serious harm to the plaintiff or another person; by means of the threatened abuse of law or legal process; or by means of any scheme, plan, or pattern intended to cause the plaintiff to believe that, if he did not perform such labor or services, the plaintiff or another person would suffer serious harm?

Esmeraldo Echon, Jr. **YES** **NO**

Justin Echon **YES** **NO**

2. 1589(b)

a. Did Defendant **LEONIDA SACKETT** knowingly benefit, either financially or by receiving anything of value, from participation in a venture that had engaged in the providing or obtaining of labor or services of the plaintiff by threats of serious harm to the plaintiff or another person; by means of the threatened abuse of law or legal process; or by means of any scheme, plan, or pattern intended to cause the plaintiff to believe that,

if he did not perform such labor or services, the plaintiff or another person would suffer serious harm?

Esmeraldo Echon, Jr. **YES** **NO**

Justin Echon **YES** **NO**

b. Did Defendant **WILLIAM SACKETT** knowingly benefit, either financially or by receiving anything of value, from participation in a venture that had engaged in the providing or obtaining of labor or services of the plaintiff by threats of serious harm to the plaintiff or another person; by means of the threatened abuse of law or legal process; or by means of any scheme, plan, or pattern intended to cause the plaintiff to believe that, if he did not perform such labor or services, the plaintiff or another person would suffer serious harm?

Esmeraldo Echon, Jr. **YES** **NO**

Justin Echon **YES** **NO**

3. Compensatory Damages for Forced Labor Claims

If you answered “Yes” to any of the above questions (1a. through 2b.) as to any Plaintiff, please state the total cumulative amount of compensatory damages to award to each Plaintiff.

Esmeraldo Echon, Jr. \$ _____

Justin Echon \$ _____

4. Punitive Damages for Forced Labor Claims

If you answered “Yes” to any of the above questions (1a. - 2b.) as to any Plaintiff, please state the amount, if any, you award in punitive damages against Defendants on this claim.

Esmeraldo Echon, Jr. \$ _____

Justin Echon \$ _____

CONTINUE TO NEXT SECTION

SECTION THREE: UNJUST ENRICHMENT

1. Unjust Enrichment

Were Defendants unjustly enriched from Plaintiffs' work?

Esmeraldo Echon, Jr. _____ **YES** _____ **NO**

Maribel Echon _____ **YES** _____ **NO**

Justin Echon _____ **YES** _____ **NO**

2. Damages for Unjust Enrichment claim

If you answered "Yes" to Question No. 1 as to any of the Plaintiffs, what is the amount of damages to be awarded to each Plaintiff against Defendants for unjust enrichment?

Esmeraldo Echon, Jr. \$ _____

Maribel Echon \$ _____

Justin Echon \$ _____

All jurors shall sign below.

JURORS' SIGNATURES:

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

CERTIFICATE OF SERVICE

I hereby certify that on the 12th day of January 2018, I served the foregoing Plaintiffs' Proposed Verdict Form with the Clerk of Court using the CM/ECF system, in addition to sending a hard copy directly to Defendants via US Mail at the following address:

William and Leonida Sackett
20370 HWY 50 E
Rocky Ford, CO 81067

s/ Jenifer Rodriguez
Jenifer Rodriguez