IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF IDAHO

ALAMAR RANCH, LLC, and YTC, LLC, Plaintiffs, v. COUNTY OF BOISE, Defendant.	Case No. 1:09-cv-004-BLW **SPECIAL VERDICT FORM**

We the jury find unanimously as follows:

Question 1. Have Plaintiffs Alamar Ranch, LLC and YTC, LLC – who will be referred to collectively throughout this Special Verdict Form as "Alamar" – proved by a preponderance of the evidence that Boise County knew or should reasonably be expected to know that the person(s) intending to live in the proposed housing development were handicapped?

✓ Yes _____ No

If you answer Question 1 "No," skip to Question 5. If you answer Question 1 "Yes," proceed to Question 2.

Question 2. Has Alamar proved by a preponderance of the evidence that an accommodation was necessary to permit the proposed housing development to be constructed?

✓ Yes _____ No

If you answer Question 2 "No," skip to Question 5. If you answer Question 2 "Yes," proceed to Question 3.

Question 3. Has Alamar proved by a preponderance of the evidence that it requested an accommodation from Boise County that was reasonable?

✓ Yes _____ No

If you answer Question 3 "No," skip to Question 5. If you answer Question 3 "Yes," proceed to Question 4.

Question 4. Has Alamar proved by a preponderance of the evidence that Boise County refused to make the requested accommodation?

✓ Yes _____ No

If you answer Question 4 "Yes," you will ultimately answer Question 10 to determine the amount of damages, if any, that Alamar suffered because of Boise County's failure to provide a reasonable accommodation as required by the Fair Housing Act.

Regardless of how you answered Question 4, proceed to Question 5.

Question 5. Has Alamar proved by a preponderance of the evidence that the conditions imposed by Boise County in the Conditional Use Permit prevented the proposed housing development from being built?

✓ Yes _____ No

If you answer Question 5 "No," skip to Question 9. If you answer Question 5 "Yes," proceed to Question 6.

Question 6. Has Alamar proved by a preponderance of the evidence that a motivating factor in Boise County's decision to impose those conditions was that the intended residents were handicapped?

✓ Yes _____ No

If you answer Question 6 "No," skip to Question 9. If you answer Question 6 "Yes," proceed to Question 7.

Question 7. Has Boise County proved by a preponderance of the evidence that its decision to impose the conditions on the Conditional Use Permit was also motivated by a lawful reason?

_____ Yes ✓ No

If you answer Question 7 "Yes," proceed to Question 8.

If you answer Question 7 "No," you will ultimately answer Question 10 to determine the amount of damages, if any, that Alamar suffered because of Boise County's conduct that prevented the proposed development from being built; for now, skip to Question 9.

Question 8. Has Boise County proved, by a preponderance of the evidence, that it would have made the same decision to impose the conditions on the Conditional Use Permit even if the handicaps of the intended residents of Alamar had played no role in the decision of Boise County to impose those conditions?

_____ Yes _____ No

If you answer Question 8 "No," you will ultimately answer Question 10 to determine the amount of damages, if any, that Alamar suffered because of Boise County's conduct that prevented the proposed development from being built.

Regardless of how you answer Question 8, proceed to Question 9.

Question 9. Has Alamar proved by a preponderance of the evidence that Boise County interfered with Alamar's exercise of Fair Housing Act rights or with its aiding the exercise of the Fair Housing Act rights of intended residents?

✓ Yes _____ No

If you answer Question 9 "Yes," proceed to Question 10 to determine the amount of damages, if any, that Alamar suffered because of Boise County's interference with Alamar's exercise of rights under the Fair Housing Act.

Note: *You will only answer Question 10 and award damages to Alamar:*

1. *If you answered "Yes" to Question 4,* ***or***
2. *If you answered "No" to Question 7,* ***or***
3. *If you answered "No" to Question 8,* ***or***
4. *If you answered "Yes" to Question 9.*

Question 10. What damages, if any, has Alamar suffered, that were the result of conduct by Boise County?

$ 4,000,000.00

12/16/2010
Date