

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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IN RE:

GENERAL MOTORS LLC IGNITION SWITCH LITIGATION

14-MD-2543 (JMF)

This Document Relates To:
Fleck, et al. v. General Motors LLC, 14-CV-8176
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ORDER


JESSE M. FURMAN, United States District Judge:

[Regarding Written Juror Questionnaire]

For the record, attached as Exhibit 1 is a final version of the written questionnaire distributed to prospective jurors earlier today in connection with the upcoming trial.

SO ORDERED.

Dated: January 6, 2016
New York, New York



JESSE M. FURMAN
United States District Judge

Exhibit 1

Juror ID: _____

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X		:	
ROBERT SCHEUER,		:	
	Plaintiff,	:	14-CV-8176 (JMF)
		:	
-v-		:	<u>JURY QUESTIONNAIRE</u>
		:	
GENERAL MOTORS LLC,		:	
	Defendant.	:	
		:	
-----X			

PRELIMINARY INSTRUCTIONS

Please read the following instructions carefully before completing any portion of this questionnaire. Please print your juror number in the space provided at the top of each page. Please answer each and every question by circling your response or by providing the information requested. Please answer each question fully. Some questions have more than one part.

YOU ARE SWORN TO GIVE TRUE AND COMPLETE ANSWERS TO ALL QUESTIONS IN THIS QUESTIONNAIRE. This questionnaire is designed to help simplify and shorten the jury selection process. The purpose of the questionnaire is to determine whether prospective jurors can decide this case impartially based upon the evidence presented at trial and the legal instructions given by the presiding judge. The questions are not intended to inquire unnecessarily into personal matters. Although some of the questions may appear to be of a personal nature, please understand that the Court and the parties must learn enough information about each juror’s background and experiences to select a fair and impartial jury.

Please answer all questions to the best of your ability. If you do not know the answer to a question then write, “I don’t know.” There are no “right” or “wrong” answers, only truthful answers. Do not discuss the case or your answers with anyone. It is important that the answers be yours alone. Remember, you are sworn to give true and complete answers to all questions.

If you need extra space to answer any question, please use the extra blank sheets of paper included at the end of the questionnaire. Be sure to indicate on the blank page the number of the question you are answering. Do not write anything on the back of any page.

DO NOT DISCUSS YOUR QUESTIONS AND ANSWERS OR THE CASE WITH ANYONE, NOW OR UNTIL FURTHER INSTRUCTED BY THE COURT. You should not discuss the questions or answers with fellow jurors. It is very important that your answers be

Juror ID: _____

your own individual answers. More broadly, do not discuss the case with anyone, including the lawyers (except in the presence of the Court), your fellow jurors, your family, your friends, or anyone else. Do not communicate about the case in any way, including telephone, e-mail, any social media app or website (such as Facebook), any communications app or website (such as Twitter). You must also avoid reading or hearing about the case (or anyone participating in the case) in newspapers, in magazines, on the radio or television, or on the Internet.

DO NOT DO YOUR OWN RESEARCH ON THE CASE. Do not conduct any research into the case (or anyone participating in the case) at any time before your entire jury service has been completed. That includes performing Internet searches, asking other people about the case, reading news stories, books, or reports about the case, or watching films or television programs that relate to the case. Do not read, watch, or listen to any information about this case.

If you believe that any of your answers contain private information that could embarrass you or otherwise seriously compromise your privacy and wish to request that the Court keep them confidential and not distribute them beyond the judge and counsel, you may indicate that on one of the blank pages at the end of this form. (Please identify the specific answer or answers that you believe should remain confidential.) After a jury has been selected, all copies of your responses to the questionnaire will be returned to the Court.

SUMMARY OF THE CASE

The Court is selecting a jury for a four- to five-week trial commencing on January 11, 2016. Thus, it should end no later than Thursday, February 11, 2016.

This is a civil case brought by Plaintiff Robert Scheuer against Defendant General Motors LLC (sometimes called “New GM”), seeking damages for injuries he allegedly suffered in a 2014 car accident while driving a General Motors-brand car. Plaintiff alleges that his injuries were caused or exacerbated by the fact that his frontal airbags did not deploy and that the airbags did not deploy because of a defect in the ignition switch of the car that New GM was aware of but did not adequately warn him about.

Plaintiff brings four claims against New GM, all based on Oklahoma law because the car accident took place in Oklahoma. The first claim is for Oklahoma Manufacturer’s Product Liability. The second claim is for fraud. The third claim is for negligence. And the fourth claim is for a violation of the Oklahoma Consumer Protection Act.

New GM denies liability for any of the claims.

(Please turn the page and read and complete the questionnaire.)

Juror ID: _____

PLEASE ANSWER THE FOLLOWING QUESTIONS:

Full Name: _____

TRIAL SCHEDULE AND PERSONAL HARDSHIP

Potential jurors will be called back for further questioning and jury selection on Monday, January 11, 2016. The trial will commence immediately thereafter. Generally, trial will be held five days per week, Monday through Friday, from 9:00 a.m. until 2:30 p.m., with one (and only one) half hour break during the day. **The trial is expected to last four to five weeks (that is, ending no later than February 11, 2016).** Trial will not be held on January 18, 2016, because of the Martin Luther King, Jr. federal holiday.

If you are selected as a juror, you will be required to be present for the taking of testimony and evidence for as long as the trial lasts. There are no plans to sequester the jury, which means you will go home every day after court.

The Court views service on a jury to be one of the highest duties a citizen owes to the United States. Mere inconvenience or the usual financial hardship of jury service will not be sufficient to excuse a prospective juror. You must show extraordinary personal or financial hardship to be excused from service.

- 1. Do any circumstances exist such that serving on the jury in this case would entail serious hardship or extreme inconvenience? (Please circle)

Yes

No

- 2. If the answer to Question #1 was yes, please briefly describe the undue hardship or extreme inconvenience:

- 3. Do you have any difficulty reading, speaking, or understanding English? (Please circle)

Yes

No

- 4. Do you have any mental or physical condition or illness that makes you unable to serve on a jury? (Please circle)

Yes

No

Juror ID: _____

5. If the answer to Question #4 was yes, please briefly describe the condition or illness:

Whether or not you claim a hardship, you must complete the rest of this questionnaire.

BACKGROUND

6. How old are you? _____

7. Are you a citizen of the United States? (Please circle)

Yes

No

8. In what county do you live? _____

9. Approximately how long have you lived in that county? _____

10. In what other county or counties, if any, have you lived in the last five years?

Juror ID: _____

11. Who are the other members of your household, if any, and for whom do they work?

12. Do you have grown children? Is so, how many and for whom do they work?

13. What newspapers or magazines do you read on a regular basis?

14. What websites or news applications do you visit, use, or read on a regular basis?

Juror ID: _____

15. What television shows do you watch on a regular basis?

16. Do you belong to or volunteer your time to any associations, organizations, clubs, or unions?

17. What do you like to do in your spare time?

18. Do you drive a motor vehicle regularly (that is, once a week or more)? (Please circle)

Yes

No

19. If the answer to Question #18 is yes, what is the make of the vehicle or vehicles that you regularly drive?

20. Have you ever served as a juror? (Please circle)

Yes

No

Juror ID: _____

21. If the answer to Question #20 is yes, please complete as appropriate (**but please do not state what the verdict in any case was**).

a. Civil Cases

Number of times: _____

Number of: _____ Federal cases _____ State cases

1. For each: Was the jury asked to reach a verdict? (Please circle; continue answers to the right as necessary)

Yes No

2. For each: If so, did the jury reach a verdict? (Please circle; continue answers to the right as necessary)

Yes No

b. Criminal Cases

Number of times: _____

Number of: _____ Federal cases _____ State cases

1. For each: Was the jury asked to reach a verdict? (Please circle; continue answers to the right as necessary)

Yes No

2. For each: If so, did the jury reach a verdict? (Please circle; continue answers to the right as necessary)

Yes No

c. Grand Jury

Number of times: _____

Number of: _____ Federal cases _____ State cases

22. This is a civil case. Among other things, that means that the burden of proof differs from the burdens of proof that apply in a criminal case or in the grand jury. If you have previously served as a juror in a criminal case or on a grand jury, would you be able to

Juror ID: _____

follow the Court's instructions with respect to the burdens that apply in this case?
(Please circle)

Yes

No

23. If you have previously served as a juror, was there anything about your jury experience that would make you unable to be fair and impartial in this case? (Please circle)

Yes

No

24. If your answer to Question #23 was yes, please describe why it would be difficult for you to be impartial:

EDUCATION & EMPLOYMENT

25. How far did you go in school?

26. If you attended college, please specify your major, if any:

27. If you attended Graduate or Professional School, please specify the area of study and what degree you received, if any:

28. If you are currently employed, please tell us about your job:

Do you work more than one job? _____

What is your job description? _____

How long have you worked at your job? _____

If you have held your job for fewer than five years, what did you do previously? _____

Juror ID: _____

29. If you are retired:

When did you retire? _____

How long did you work at your last job? _____

What was your title or job description? _____

What other jobs or occupations did you have during your working years? _____

30. If you are not employed outside the home, are you:

___ A student? Where do you attend school? _____

How many days a week do you attend? _____

___ A homemaker?

___ Between jobs? What is your usual employment? _____

___ Disabled? What is the nature of the disability that prevents you from working?

Other: _____

How long has it been since you were last employed outside the home? _____

31. Have you ever filed a claim for worker’s compensation? (Please circle)

Yes

No

KNOWLEDGE AND OPINIONS OF THE CASE AND PARTIES

Background information: The Defendant in this case is General Motors LLC, which is a wholly owned subsidiary of General Motors Company. As noted above, General Motors LLC is sometimes referred to as “New GM.” General Motors LLC was founded in 2009, when it purchased many of the assets of General Motors Corporation, which declared bankruptcy. General Motors Corporation is sometimes referred to as “Old GM.”

32. Do you or any of your immediate family members currently own any stock in General Motors Company? (Please circle)

Yes

No

Juror ID: _____

33. If the answer to Question #32 was yes, please state the name of the owner(s) and approximately how long the stock has been owned.

34. Apart from any stock that you disclosed in answer to Question #33, have you or your immediate family members previously owned stock in the General Motors Company? (Please circle)

Yes

No

35. If the answer to Question #34 was yes, please state the name of the owner(s) and the approximate date(s) of ownership.

36. Did you or your immediate family members own any stock in General Motors Corporation (“Old GM”) at the time it filed for bankruptcy in June 2009? (Please circle)

Yes

No

37. If the answer to Question #36 was yes, please state the name of the owner(s) and the approximate date(s) of ownership.

38. Have you or any of your immediate family members ever been employed by General Motors Company, Old GM, or any subsidiary, including GM LLC (“New GM”)? (Please circle)

Yes

No

Juror ID: _____

39. If the answer to Question #38 was yes, please describe the employment.

40. Do you or any members of your household currently own or lease any vehicle manufactured by Old GM or New GM, including any Chevrolet, GMC, Buick, Cadillac, Pontiac, Oldsmobile, Saturn, Saab or HUMMER? (Please circle)

Yes

No

41. If the answer to Question #40 was yes, please describe the make, model, and model year of the vehicle(s).

42. Apart from any vehicle(s) that you disclosed in answer to Question #41, have you or any members of your household previously owned or leased any vehicle manufactured by Old GM or New GM, including any Chevrolet, GMC, Buick, Cadillac, Pontiac, Oldsmobile, Saturn, Saab or HUMMER? (Please circle)

Yes

No

43. If the answer to Question #42 was yes, please describe the make, model, and model year of the vehicle(s).

44. If the answer to either Question #40 or Question #42 was yes, please describe how you acquired the vehicle (for example, did you purchase or lease it used or new, did you purchase or lease it from a dealer, etc.). If you no longer own or lease the vehicle, please also describe the circumstances in which you sold or disposed of the vehicle.

Juror ID: _____

45. If the answer to either Question #40 or Question #42 was yes, please describe any service-related issues with the vehicle other than ordinary maintenance (for example, other than oil changes).

46. If the answer to either Question #40 or Question #42 was yes, have you ever received a recall notice regarding the Old GM or New GM vehicle? (Please circle)

Yes

No

47. If the answer to Question #46 was yes, please describe the condition set forth in the recall notice.

48. If the answer to Question #46 was yes, please describe your response to the recall notice (for example, did you bring the vehicle to the dealer, did the dealer perform the recall repair, etc.).

Juror ID: _____

49. Have you, a family member, or a close friend ever been involved in a motor vehicle accident involving an Old GM or New GM vehicle? (Please circle)

Yes

No

50. If the answer to Question #49 was yes, please briefly describe the accident(s), injuries, and vehicle(s) involved.

51. If the answer to Question #49 was yes, please state whether you believe a problem or defect with the vehicle may have caused the crash and, if so, describe the problem or defect.

52. If the answer to Question #49 was yes, please describe whether the airbag(s) in the vehicle(s) did or did not deploy.

Juror ID: _____

53. If the answer to Question #49 was yes, please state whether you believe that the airbags deploying or not deploying contributed to or prevented any injuries and why.

54. In the past two years, have you seen or heard any media coverage concerning recalls of vehicles manufactured by Old GM or New GM? (Please circle)

Yes

No

55. In the past two years, have you seen or heard any media coverage about any governmental entity investigating New GM? (Please circle)

Yes

No

56. In the past two years, have you seen or heard any media coverage about an ignition switch defect in vehicles manufactured by Old GM or New GM or about any government investigation of an ignition switch defect in cars vehicles manufactured by Old GM or New GM? (Please circle)

Yes

No

57. If you answered yes to Questions #54, #55, or #56, what have you seen or heard?

58. If you answered yes to Questions #54, #55, or #56, would anything that you have seen or heard make it difficult for you to be impartial to all of the parties in this lawsuit? (Please circle)

Yes

No

Juror ID: _____

59. If your answer to Question #58 was yes, please describe why it would be difficult for you to be impartial.

60. Do you know or have you heard of any of the following people, entities, or places who may testify or whose names may be mentioned during the course of the trial? (Please circle any for whom or which the answer is yes)

- Alan Adler
- Alturo Alcala
- Gary Altman
- Kathy Anderson
- Laura Andres
- Antonio Antonucci
- Randy Arickx
- Mary Barra
- Mark Beauregard
- Carmen Benavides
- Selim Bingol
- Valerie Boatman
- Alicia Boler-Davis
- Jeffery Boyer
- Andrew Brenz
- Doug Brown
- Eric Buddrius
- Laurence Buonomo
- John Calabrese
- Dave Caples
- John Capp
- David Carey
- John Carriere
- Christopher Caruso
- Tony Cervone
- William Chase
- James Churchwell
- John Coniff
- Paul Connet
- Terrance Connolly
- Eddie Cooper
- Robert Cox
- Dwayne Davidson
- Dan Davis
- Ray DeGiorgio
- Glen DeVos
- John Dolan
- Lucy Clark Dougherty
- Brian Edge
- Jeff Eller
- Brian Everest
- Susan Farley
- James Federico
- Joseph Fedullo
- Kenneth Feinberg
- Dan Fernandez
- Mary Fitch
- Maureen Foley-Gardner
- Scott Forester
- Fred Fromm
- Dale Furney
- Mitchell Garber
- Lee R. Godown
- Thomas Gottschalk
- Michael Gruskin
- Victor Hakim

Juror ID: _____

- Greg Hall
- Ebram Handy
- Mark Hood
- Gerald Johnson
- Mark Johnson
- Peter Judis
- Courtland Kelley
- William Kemp
- Gay Kent
- Elizabeth Kiihr
- Steve Kirkman
- Ed Koerner
- Robert Liebbe
- George Lin
- Thomas Livernois
- Steve Loudon
- David Macpherson
- Subbaiah V. Malladi
- Joseph Manson
- Alberto Manzor
- Michael Markuschewski
- John S. Marouk
- Greg Martin
- Onassis Matthews
- Erik Mattson
- Michael McCort
- Nancy McLean
- Bill Merrill
- Michelle Michelini
- Gregory Miller
- Michael Millikin
- Keith Mikkelson
- Vipul Modi
- John Murawa
- Deborah Nowak
- Steven Oakley
- Jaclyn Palmer
- Jack Pantaleo
- Nabeel Paracha
- Doug Parks
- Matt Pinson
- Ronald Porter
- Jim Queen
- Lori Queen
- Ken Rager
- Naveen Ramachandrapa Nagapoloa
- Mark Reuss
- Terrence Rhadigan
- Michael Robinson
- Eduardo Rodriguez
- Ray Romeo
- Robert Scheuer
- Lisa Scheuer
- Matt Schroeder
- Keith Schultz
- Jeff Setting
- Jennifer Sevigny
- James Sewell
- Robert Shrosbree
- Kristen Siemen
- Neil Skaar
- Chris Skaggs
- Harry Smith
- James Sprague
- John Sprague
- Craig St. Pierre
- Lisa Stacey
- Michael Stevenson
- Glen Stevick
- Alan Storck
- Brian Stouffer
- Blendi Sullaj
- Thomas Svoboda
- Tim Swafford
- Joseph Taylor
- Brian Thompson
- David Trush
- Anton Valukas
- Thomas Van Wirt
- Doug Wachtel
- Rick Wagoner
- Lisa Weber
- Michael Wendzinski
- Terry Woychowski

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- Bristow, Oklahoma
- Davison Junkyard
- Milford Proving Grounds
- GM Ignition Compensation Claims Resolution Facility
- Jenner & Block LLP

61. If you circled any of the entries in Question #60, please describe your familiarity with that person, entity, or place:

62. If you circled any of the entries in Question #60, would your familiarity with that person, entity, or place make it difficult for you to be impartial to all of the parties in this lawsuit and to decide the case based solely on the evidence presented at trial? (Please circle)

Yes

No

63. If your answer to Question #62 was yes, please describe why it would be difficult for you to be impartial.

DECLARATION

I, _____ declare under penalty of perjury that the foregoing answers set forth
(*print name*)

in this Jury Questionnaire are true and correct to the best of my knowledge and belief. I have not discussed my answers with others, or received assistance in completing the questionnaire.

Signed this ____ day of January, 2016

(*signature*)

Juror ID: _____

You may use these pages to finish any answers which you could not fit in the spaces provided above:

Juror ID: _____
