



9718031

FILED
ALAMEDA COUNTY

JUL 05 2013

Samika M...

SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF ALAMEDA - UNLIMITED CIVIL

10	RASHID AMIN, an individual,)	CASE NO. RG-11565104
11)	
12	Plaintiff,)	[Assigned to Hon. Ronni MacLaren, Dept. 25]
13	vs.)	JUDGMENT ON JURY VERDICT
14	SECURITY INDUSTRY SPECIALIST, INC.,)	
15	OSCAR SALDANA, an individual; REED)	PROPOSED RBM
16	BARRIES, an individual; and DOES 1 through)	
17	100, inclusive)	
	Defendants.)	Complaint Filed: March 10, 2011
)	Trial Date: May 21, 2013

TO ALL PARTIES AND COUNSEL OF RECORD:

This action came on regularly for trial on May 21, 2013 and following in Department 25 of the Superior Court in and for the County of Alameda, the Hon. Ronni McLaren, Judge presiding.

Plaintiff Rashid Amin appeared by attorneys Daniel Feder, Esq. and Winter Hankins, Esq., Law Offices of Daniel Feder; Defendant Security Industry Specialists, Inc. ("SIS") appeared by Neil Gielegem, Esq.

A jury of 12 persons was regularly impaneled and sworn.

Witnesses were sworn and testified. After hearing the evidence and arguments of counsel, the jury was duly instructed by the Court and the cause was submitted to the jury, with

1 directions to return a verdict on special issues.

2 The jury deliberated and thereafter returned into court with its verdict as follows on the
3 following Causes of Action:

4 Wrongful Discharge in Violation of Public Policy

5 We answer the questions submitted to us as follows:

6 1. Was Rashid Amin employed by Security Industry Specialists, Inc?

7 X Yes No

8 If your answer to question 1 is yes, then answer question 2. If you answered no, stop
9 here, answer no further questions, and have the presiding juror sign and date this form.

10 2. Was Rashid Amin discharged?

11 X Yes No

12 If your answer to question 2 is yes, then answer question 3. If you answered no, stop
13 here, answer no further questions, and have the presiding juror sign and date this form.

14 3. Was Rashid Amin's religion and/or national origin, or complaints
15 regarding discrimination and/or harassment a motivating reason for SIS's decision to discharge
16 Mr. Amin?

17 Yes X No

18 If your answer to question 3 is yes, then answer question 3. If you answered no, stop
19 here, answer no further questions, and have the presiding juror sign and date this form.

20 [Dated and signed by Presiding Juror]

21
22 Disparate Treatment (Gov. Code § 12940(a))

23 We answer the questions submitted to us as follows:

24 1. Was Rashid Amin employed by Security Industry Specialists, Inc?

25 X Yes No

26 If your answer to question 1 is yes, then answer question 2. If you answered no, stop
27 here, answer no further questions, and have the presiding juror sign and date this form.

28 2. Was Rashid Amin an employee of Security Industry Specialists, Inc.?

1 If your answer to question 2 is yes, then answer question 3. If you answered no, stop
2 here, answer no further questions, and have the presiding juror sign and date this form.

3 3. Did Security Industry Specialists, Inc. discharge Mr. Amin or subject him
4 to any other adverse employment action?

5 Yes No

6 If your answer to question 3 is yes, then answer question 4. If you answered no, stop
7 here, answer no further questions, and have the presiding juror sign and date this form.

8 4. Was Mr. Amin's religion and/or national origin a motivating reason for
9 SIS's decision to discharge Mr. Amin or subject him to any other adverse employment action?

10 Yes No

11 If your answer to question 4 is yes, then answer question 5. If you answered no, stop
12 here, answer no further questions, and have the presiding juror sign and date this form.

13 [Dated and signed by Presiding Juror]

14
15 Retaliation (Gov. Code §12940(h))

16 We answer the questions submitted to us as follows:

17 1. Did Rashid Amin complain about discrimination or harassment in
18 connection with his employment by Security Industry Specialists, Inc?

19 Yes No

20 If your answer to question 1 is yes, then answer question 2. If you answered no, stop
21 here, answer no further questions, and have the presiding juror sign and date this form.

22 2. Did Security Industry Specialists, Inc. discharge Mr. Amin or subject him
23 to any other adverse employment action, or did Security Industry Specialists, Inc. engage in
24 conduct that, taken as a whole, materially and adversely affected the terms and conditions of Mr.
25 Amin's employment?

26 Yes No

27 If your answer to question 2 is yes, then answer question 3. If you answered no, stop
28 here, answer no further questions, and have the presiding juror sign and date this form.

1 3. Was Mr. Amin's complaining to SIS about discrimination and harassment
2 a motivating factor for SIS's decision to discharge him or take adverse employment action
3 against Mr. Amin?

4 Yes No

5 If your answer to question 3 is yes, then answer question 4. If you answered no, stop
6 here, answer no further questions, and have the presiding juror sign and date this form.

7 [Dated and signed by Presiding Juror]

8
9 Religious Creed Discrimination – Failure to Accommodate

10 1. Was Security Industry Specialists, Inc. an employer?

11 Yes No

12 If your answer to question 1 is yes, then answer question 2. If you answered no, stop
13 here, answer no further questions, and have the presiding juror sign and date this form.

14 2. Was Rashid Amin an employee of Security Industry Specialists, Inc.?

15 Yes No

16 If your answer to question 2 is yes, then answer question 3. If you answered no, stop
17 here, answer no further questions, and have the presiding juror sign and date this form.

18 3. Did Rashid Amin in 2010 have a sincerely held religious belief that he
19 wear a beard and pray during the month of Ramadan?

20 Yes No

21 If your answer to question 3 is yes, then answer question 4. If you answered no, stop
22 here, answer no further questions, and have the presiding juror sign and date this form.

23 4. Did Mr. Amin's religious practices conflict with a job requirement?

24 Yes No

25 If your answer to question 4 is yes, then answer question 5. If you answered no, stop
26 here, answer no further questions, and have the presiding juror sign and date this form.

27 \\\

28 \\\

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

5. Did Security Industry Specialists, Inc. know of the conflict between Mr. Amin's religious practices and the job requirement?

____ Yes X No

If your answer to question 5 is yes, then answer question 6. If you answered no, stop here, answer no further questions, and have the presiding juror sign and date this form.

[Dated and signed by Presiding Juror]

Failure To Engage In The Interactive Process

1. Was Security Industry Specialists, Inc. an employer?

X Yes _____ No

If your answer to question 1 is yes, then answer question 2. If you answered no, stop here, answer no further questions, and have the presiding juror sign and date this form.

2. Was Rashid Amin an employee of Security Industry Specialists, Inc.?

If your answer to question 2 is yes, then answer question 3. If you answered no, stop here, answer no further questions, and have the presiding juror sign and date this form.

X Yes _____ No

3. Did Rashid Amin in 2010 have a sincerely held religious belief that he wear a beard and pray during the month of Ramadan?

X Yes _____ No

If your answer to question 3 is yes, then answer question 4. If you answered no, stop here, answer no further questions, and have the presiding juror sign and date this form.

4. Did Mr. Amin in 2010 request that Security Industry Specialists, Inc. make a reasonable accommodation for his religious practices so that he would be able to perform the essential job requirements?

____ Yes X No

\\
\\

1 If your answer to question 4 is yes, then answer question 5. If you answered no, stop
2 here, answer no further questions, and have the presiding juror sign and date this form.

3 [Dated and signed by Presiding Juror]
4

5 It appearing by reason of said verdict that: Defendant SIS is entitled to judgment against
6 Plaintiff Rashid Amin;

7 NOW, THEREFORE, IT IS ORDERED, ADJUDGED AND DECREED that said
8 Plaintiff Rashid Amin shall take nothing from said Defendant Security Industry Specialists, Inc.;
9 and that Defendant Security Industry Specialists, Inc. shall recover from Plaintiff Rashid Amin
10 costs in the sum of \$_____.

11
12 SO ORDERED.

13
14 Dated: ~~June~~ ^{July} 5, 2013

15
16 
17 Superior Court Judge

18
19 Approved as to form:

20 June _____, 2013

21 LAW OFFICES OF DANIEL FEDER
22

23
24 _____
25 Daniel Feder, Esq.
26 Winter Hankins, Esq.
27 Attorneys for Plaintiff
28

CLERK'S CERTIFICATE OF SERVICE BY MAIL
CCP 1013a(3)

CASE NAME: Amin vs. Security Industry Specialist, Inc.

ACTION NO.: RG11565104

I certify that, I am not a party to the within action. I served the foregoing

JUDGMENT ON JURY VERDICT by depositing a true copy thereof in the United States mail in

Oakland, California in a sealed envelope with postage fully prepaid thereon addressed to:

Daniel L. Feder
Law Offices of Daniel L. Feder
332 Pine Street, Suite 700
San Francisco, CA 94104

Neil Gielegem
Gielegem Law Office
1875 Century Park East, Suite 700
Los Angeles, CA 90067

I declare under penalty of perjury that the following is true and correct

Executed on July 8, 2013 at Oakland, California.

Leah T. Wilson,
Executive Officer/Clerk

by Shanika Monroe
Deputy Clerk