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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA  
NORTHERN DIVISION

HURLEY  
Beach, Fl.

JUAN ROMAGOZA ARCE, et al., ) Docket No.  
) 99-8364-Civ-  
Plaintiffs, )  
) West Palm  
v. ) July 23, 2002  
) 9:30 a.m.  
JOSE GUILLERMO GARCIA, et al., )  
)  
Defendants. )  
)  
-----x

VOLUME 16  
TRANSCRIPT OF JURY VERDICT  
BEFORE THE HONORABLE DANIEL T.K. HURLEY  
and a jury

APPEARANCES:

For the Plaintiffs: JAMES GREEN, ESQ.  
PETER STERN, ESQ.  
BETH VanSCHAACK, ESQ.

For the Defendants: KURT KLAUS, ESQ.

Court Reporter: Pauline A. Stipes, CSR, RPR, RMR

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United States Courthouse  
West Palm Beach, FL 33401

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Official Federal Reporter

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1                   THE COURT: Please be seated, ladies and  
gentlemen, I  
2 want to disclose to counsel for both parties that  
approximately  
3 an hour or so ago I received an oral communication from  
Mr.  
4 Caldwell indicating that the jury had made an error on one  
of  
5 the verdict forms and asked for a second copy of the  
verdict  
6 form. Because that was not a substantive question asking  
for  
7 any type of legal advice, I took it upon myself to have  
Mr.  
8 Caldwell give the jury the second copy of that particular  
9 verdict form.

10                   I don't frankly even know what verdict form it  
was. I  
11 wanted to advise counsel of that.

12                   Now, ladies and gentlemen, we have received a  
note  
13 from the jury indicating that the jury has arrived at its  
14 verdict. It was sent a while ago indicating that the jury  
15 wanted to conclude lunch before the verdicts were  
announced. I

16 asked Mr. Caldwell to call counsel and notify you of that.

17 Are we ready to receive the verdicts?

18 MR. KLAUS: Yes, Your Honor.

19 MR. GREEN: Yes, Your Honor.

20 THE COURT: Ladies and gentlemen, in the  
courtroom, I

21 want to simply alert you that there is a process to  
receiving

22 verdicts.

23 Obviously, the first part is the announcement of  
the

24 verdict, but the second part is the verification that that  
is

25 the verdict, and that it is unanimous.

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1 Now, I want to ask for your assistance, as you  
have

2 been throughout the trial, we want to make sure this  
process is

3 an orderly process so whatever the verdicts of the jury  
are,

4 that they are properly received. If anyone feels they  
will

5 have difficulty or need to step outside, please don't  
hesitate

6 to do that.

7 You understand we do need to receive the verdicts  
and

8 we need everyone to behave appropriately in that regard.

9 Mr. Caldwell, would you please bring in the jury.

10 (Thereupon, the jury returned 1:38 p.m.)

11 THE COURT: Ladies and gentlemen, please be  
seated.

12 Mr. Foreperson, has the jury arrived at its  
verdicts?

13 THE FOREMAN: It has, Your Honor.

14 THE COURT: Would you be good enough to give the  
15 verdicts to Mr. Caldwell.

16 Mr. Caldwell, would you please publish the  
verdicts of  
17 the jury.

18 THE CLERK: " United States District Court,  
Southern  
19 District of Florida, case number 99-8364, Civil.

20 " In the case of Juan Romagoza Arce versus Jose  
21 Guillermo Garcia and Carlos Eugenio Vides Casanova.

22 " We, the jury, return the following verdict upon  
the  
23 claims of plaintiff Dr. Juan Romagoza Arce. As against  
24 defendant Jose Guillermo Garcia and Carlos Eugenio Vides  
25 Casanova:

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1 " Number one, do you find that defendant General  
Jose



23 " Question number one, do you find that defendant  
24 General Carlos Eugenio Vides Casanova is legally  
responsible  
25 under the Doctrine of Command Responsibilities for the  
torture

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1 of Professor Mauricio? Yes.

2 " Question number two, what do you find to be the  
3 total amount, one hundred percent of compensatory damages,  
if  
4 any, suffered by Professor Mauricio as a result of his  
5 torture? \$3,100,000.

6 " Question number three, under the circumstances  
of  
7 this case, state whether punitive damages are warranted  
against  
8 defendant Carlos Eugenio Vides Casanova. Yes.

9 " Total amount of punitive damages which you find  
10 should be assessed against defendant General Vides.  
11 \$10,000,000.

12 " So say we all, the 23 day of July, 2002.

13 " In the case of Neris Gonzalez versus Jose  
Garcia and  
14 Carlos Eugenio Vides Casanova.

15 " We the jury find the following verdict upon the  
16 claims of Neris Gonzalez against Jose Guillermo Garcia and

17 Carlos Eugenio Vides Casanova.

18 Question number one, do you find that defendant  
19 General Jose Guillermo Garcia is legally responsible under  
the  
20 Doctrine of Command Responsibility for the torture of  
Neris  
21 Gonzalez? Yes.

22 " Question number two, do you find that defendant  
23 General Carlos Eugenio Vides Casanova is legally  
responsible  
24 under the Doctrine of Command Responsibility for the  
torture?  
25 Yes.

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1 " Question number three, what do you find to be  
the  
2 total amount, one hundred percent of compensatory damages,  
if  
3 any, suffered by Neris Gonzalez as a result of her  
torture,  
4 \$6,500,000.

5 " Question four, under the circumstances of this  
case,  
6 state whether punitive damages are warranted against  
defendant  
7 Garcia. Yes. Against defendant Vides. Yes.

8 " The total amount of punitive damages, if any,  
which

9 you find should be assessed against the defendant Garcia,  
10 \$10,000,000. Against defendant Vides, \$5,000,000.

11 " So say we all, the 23 day of July, 2002".

12 THE COURT: Does either party wish to have the  
jury  
13 polled?

14 MR. KLAUS: No, your Honor.

15 THE COURT: Ladies and gentlemen. I've said  
several  
16 times during the trial that one of the strengths of our  
justice  
17 system is that we divide decision making and the verdicts  
in  
18 this case were your solemn responsibilities --

19 Ask that gentleman to sit down, please.

20 I think I can say what I would like to say  
without  
21 trespassing on that area that was yours and yours alone.

22 The first thing is, you must remember not a  
single one  
23 of you volunteered to be here. You came because we asked  
you  
24 to come and we put an enormous responsibility on your  
25 shoulders.

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1 We have watched you throughout this trial and  
observed



nobody  
task.  
2 the care and diligence that you have applied as you have  
3 attempted to fulfill your responsibilities. Nobody,  
4 could ask more of you than what you have brought to this

leave  
5 When you leave this courtroom, I want you to  
6 with your heads held high, knowing we have put an enormous  
7 burden upon you and you have discharged that  
responsibility.

I  
8 So, on behalf of the people of the United States,  
9 thank you for the service you have rendered in this jury  
10 service and I now excuse you from that.

11 Thank you.

12 (Thereupon, the jury retired from the courtroom.)

seated. If  
do  
13 THE COURT: Ladies and gentlemen, please be  
14 anyone needs to leave the courtroom, please feel free to  
15 so.

post  
16 Let me take a moment now, hold on a second. Does  
17 either party require additional time for the filing of  
18 trial motions?

19 MR. KLAUS: No, your Honor.

20 THE COURT: All right.

21 Is there anything else to come before the court?

discharged.  
22 Thank you all very much. The parties are

23 Thank you.

24 (Thereupon, the trial was concluded.)

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CERTIFICATION

transcript  
matter.

"I certify that the foregoing is a correct  
from the record of proceedings in the above-entitled

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Official Reporter

Date

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