

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

JAN KOPACZ AND CATHY KOPACZ	:	CIVIL ACTION
	:	
v.	:	NO. 04-911
	:	
DELAWARE RIVER & BAY AUTHORITY	:	
	:	
and	:	
	:	
CRAIG SWETT	:	

**DEFENDANT, DELAWARE RIVER & BAY AUTHORITY'S
PROPOSED VOIR DIRE QUESTIONS**

Defendant, Delaware River & Bay Authority, by and through its attorneys, Donna Adelsberger & Associates, P.C., respectfully requests that the following questions be asked during the voir dire of the jury:

1. This case involves alleged personal injuries to Jan Kopacz which allegedly occurred on August 9 2002, while working as a deckhand aboard the ferry, M/V DELAWARE. Is anyone familiar with the actual facts of this incident or have any knowledge or communication in any way that relates to this incident?

2. Has anyone on the panel ever traveled on the Delaware River & Bay Authority ferries which operate between Lewes, Delaware and Cape May, New Jersey?

3. Do you know or have any dealings with anyone who has ever worked for the Delaware River & Bay Authority?

4. Do any of you know or have any dealings with the following individuals who may be called as witnesses in this case: See witness list.

5. Does anyone on the panel know or ever been treated by any of the following medical providers: See attached list.

If so, please describe the nature of your treatment or dealings with these medical providers.

6. Have you or anyone close to you ever worked in the maritime transportation industry?

7. Have you or anyone close to you ever been injured at work?

8. Have you or anyone close to you ever suffered from a neck, shoulder or back injury or had a bad back? If so, please describe the injury, how it occurred and whether it has resolved.

9. Is anyone currently suffering from a physical condition that would tend to make you sympathize with the Plaintiff?

10. Do any of you take prescription pain medication? If so, state the reason for taking the medication.

11. Have you or anyone close to you ever been injured in an auto accident? If so, please describe the accident and resulting injury, if any.

12. Has anyone on the panel ever sustained a serious injury? If so, (1) what was it; (2) how did it happen, and (3) have you recovered?

13. Have you or anyone close to you ever been involved in a personal injury law suit, either as a plaintiff or defendant? If so, what was the nature and outcome of the case?

14. Have you sat on a jury panel before? If so, what type of case was it

and was a verdict reached?

15. Have you or anyone close to you ever been employed in the legal or medical profession? If so, describe your training and/or occupation and for whom are you currently employed?

16. Can you disregard any sympathy you may feel for the plaintiff by rendering a fair and impartial verdict in this case?

17. Do you feel that the Plaintiff is entitled to an award of monetary damages in this case just because he filed a lawsuit?

18. Do you agree that a business is to be treated the same as an individual in rendering your decision in this case?

19. Is there any other reason that has not been covered which you believe would prevent you from making a fair and impartial decision in this case? If so, what is your reason?

Defendant reserves the right to privately question individual panel members during the voir dire, if appropriate, and to supplement these questions with proper notice.

Respectfully submitted,

DONNA ADELSBERGER & ASSOCIATES, P.C.

BY:s/ Mary Elisa Reeves, Esquire
Mary Elisa Reeves, Esquire
Donna L. Adelsberger, Esquire
Attorneys for Defendant
Delaware River and Bay Authority

Date: December 21, 2005