

JAN 16 2026 JC
At 10:37 A.M.
Veiva L. Price, District Clerk

Cause No. D-1-GN-21-002358

JAN 16 2026 JC
At 3:40 P.M.
Veiva L. Price, District Clerk

Jose Antonio Venero
Plaintiff,

v.

Juan Antonio Lozada
Defendant.

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In the District Court

353rd Judicial District

Travis County, Texas

CHARGE OF THE COURT

Members of the Jury:

After the closing arguments, you will go to the jury room to decide the case, answer the questions that follow, and reach a verdict.

You may discuss the case with other jurors only when you are all together in the jury room.

Remember my previous instructions: Do not discuss the case with anyone else, either in person or by any other means. Do not do any independent investigation about the case or conduct any research. Do not look up any words in dictionaries or on the Internet. Do not post information about the case on the Internet. Do not share any special knowledge or experiences with the other jurors. Do not use your phone or any other electronic device during your deliberations for any reason. Rely on the Judicial Executive Assistant to notify you if she receives a call for you on the emergency number she gave you.

Any notes you have taken are for your own personal use. You may take your notes back into the jury room and consult them during deliberations, but do not show or read your notes to your fellow jurors during your deliberations. Your notes are not evidence. Each of you should rely on your independent recollection of the evidence and not be influenced by the fact that another juror has or has not taken notes.

Instructions for Answering the Questions

1. Do not let bias, prejudice, or sympathy play any part in your decision or evaluation of the evidence or testimony heard in this case. Everyone has feelings, assumptions, perceptions, fears, and stereotypes that we may not be aware of but that can affect what we see and hear, how we remember what we see and hear, and how we make decisions. Because you are making important decisions as the jurors in this case, you must evaluate the evidence carefully, and you must not jump to conclusions based on personal likes or dislikes, generalizations, gut feelings, prejudices, sympathies,

stereotypes, or biases. Techniques to identify and check one's implicit biases include: slowing down and examining your thought processes thoroughly to identify where you may be relying on reflexive, gut reactions or making assumptions that have no basis in the evidence; asking yourself whether you would view the evidence differently if the players were reversed or other types of people were involved; and listening carefully to the opinions of your fellow jurors, each of whom brings a different, valid perspective to the table. Our system of justice is counting on you to render a just verdict based on the evidence, not on biases.

2. Base your answers only on the evidence admitted in court and on the law that is in these instructions and questions. Do not consider or discuss any evidence that was not admitted in the courtroom.
3. You are to make up your own minds about the facts. You are the sole judges of the credibility of the witnesses and the weight to give their testimony. But on matters of law, you must follow all of my instructions.
4. Words in this Charge have their ordinary meaning unless I give a definition, which will be a proper legal definition.
5. All the answers are important. No one should say that any answer is not important.
6. Answer "yes" or "no" to all questions unless you are told otherwise. A "yes" answer must be based on a preponderance of the evidence unless you are told otherwise. If you do not find that a preponderance of the evidence supports a "yes" answer, then answer "no." When you answer a question that requires an answer other than "yes" or "no," your answer must be based on a preponderance of the evidence unless you are told otherwise.
7. The term "**preponderance of the evidence**" means the greater weight of credible evidence presented in this case. A preponderance of the evidence is not measured by the number of witnesses or by the number of documents admitted in evidence. For a fact to be proved by a preponderance of the evidence, you must find that the fact is more likely true than not true.
8. A fact may be established by direct evidence or by circumstantial evidence or both. A fact is established by direct evidence when proved by documentary evidence or by witnesses who saw the act done or heard the words spoken. A fact is established by circumstantial evidence when it may be fairly and reasonably inferred from other facts proved.
9. Do not decide who you think should win before you answer the questions and then just answer the questions to match your decision. Answer each question carefully without considering who will win. Do not discuss or consider the effect your answers will have.

10. Do not answer questions by drawing straws or by any method of chance.
11. Some questions might ask you for a dollar amount. Do not agree in advance to decide on a dollar amount by adding up each juror's amount and then figuring the average.
12. Do not trade your answers. For example, do not say, "I will answer this question your way if you answer another question my way."
13. To return a verdict, the **same** group of at least 10 of you must agree on each and every answer. You may **not** have one group of 10 jurors agree on one answer and a different group of 10 jurors agree on another answer.

As I have said before, if you do not follow these instructions, you will be guilty of juror misconduct, and I might have to order a new trial and start this process over again. This would waste your time and the parties' money and would require the taxpayers of this county to pay for another trial. If a juror breaks any of these rules, tell that person to stop and report it to me immediately.

DEFINITION

The "**Statement in Issue**" is the following statement made in DolarToday on January 31, 2021:

In the United States, it is a crime to practice law without a license, unfortunately, this has not prevented thousands of "paralegals," individuals who do not have the legal standing to practice law but who make a living providing consulting services on immigration law, from offering their services to unsuspecting clients who, being newcomers, do not have the criteria to distinguish between a legal professional and the scammers who pose as experts, and often end up condemning their clients to end up in deportation proceedings.

Many Venezuelan immigrants fall victim to these scammers, in Round Rock, Texas, Maria Dekay, a Venezuelan lawyer who graduated from the University of Zulia, was arrested in 2018, for impersonating an immigration lawyer. Many of her clients were Venezuelan and after Dekay's arrest, they were left in limbo. Other notorious scammers of Venezuelans in the United States include Jose Antonio Venero and Ernesto Fuenmayor.

Juan Antonio has dedicated himself to suing some of these scammers as he has seen with concern how the greed of these individuals has cost dearly migrant families who have put their faith in the hands of these scammers. In many cases, the money a person saves by hiring a paralegal, rather than an immigration attorney, ends up being spent on the costs of defending himself or herself against deportation. A large number of cases handled by paralegals are so unfounded and ill-prepared that they often end up creating more problems than they solve.

QUESTION NO. 1

Did JUAN ANTONIO LOZADA publish the Statement in Issue?

“Publish” means to communicate orally, in writing, or in print to a person other than JOSE ANTONIO VENERO who is capable of understanding and does understand the matter communicated.

Answer “Yes” or “No.”

Answer: YES

If you answered "Yes" to Question 1, then answer the following question. Otherwise, do not answer the following question.

QUESTION NO. 2

Was the Statement in Issue true or substantially true at the time it was made as it related to JOSE ANTONIO VENERO?

A statement is "**substantially true**" if, in the mind of the average person, it is no more damaging to the person affected by it than a literally true statement would have been.

In connection with this question, you are instructed that JUAN ANTONIO LOZADA has the burden to prove substantial truth by a preponderance of the evidence.

Answer “Yes” or “No.”

Answer: NO

If you answered "No" to Question 2, then answer the following question. Otherwise, do not answer the following question.

QUESTION NO. 3

Did JUAN ANTONIO LOZADA know or should he have known, in the exercise of ordinary care, that the Statement in Issue was false and had the potential to be defamatory?

"Ordinary care" concerning the truth of the statement and its potential to be defamatory means that degree of care that would be used by a person of ordinary prudence under the same or similar circumstances.

"False" means not true or not substantially true.

Answer "Yes" or "No."

Answer: YES

If you answered "Yes" to Question 3, then answer the following question. Otherwise, do not answer the following question.

QUESTION NO. 4

What sum of money, if paid now in cash, would fairly and reasonably compensate JOSE ANTONIO VENERO for his injuries, if any, that were proximately caused by the Statement in Issue?

Consider the elements of damages listed below and none other. Consider each element separately. Do not award any sum of money on any element if you have otherwise, under some other element, awarded a sum of money for the same loss. That is, do not compensate twice for the same loss, if any. Do not include interest on any amount of damages you find.

You are instructed that the Court has already determined that the Statement in Issue constitutes defamation *per se*. "**Defamation *per se***" refers to statements that are so obviously harmful that general damages may be presumed. You must award at least nominal damages for injury to reputation in the past. Nominal damages are a trifling sum, such as \$1.

Answer separately in dollars and cents for damages, if any.

1. Injury to reputation sustained in the past.

Answer: \$25,000

2. Injury to reputation that, in reasonable probability, JOSE ANTONIO VENERO will sustain in the future.

Answer: \$15,000

3. Mental anguish sustained in the past.

Answer: \$50,000

4. Mental anguish that, in reasonable probability, JOSE ANTONIO VENERO will sustain in the future.

Answer: \$25,000

If you answered "Yes" to Question 3, then answer the following question. Otherwise, do not answer the following question.

QUESTION NO. 5

Do you find by clear and convincing evidence that, at the time JUAN ANTONIO LOZADA made the Statement in Issue --

1. JUAN ANTONIO LOZADA knew it was false as it related to JOSE ANTONIO VENERO, or
2. JUAN ANTONIO LOZADA made the statement with a high degree of awareness that it was probably false, to an extent that JUAN ANTONIO LOZADA in fact had serious doubts as to the truth of the statement?

"Clear and convincing evidence" is that measure or degree of proof that will produce in the mind of the jury a firm belief or conviction as to the truth of the allegations sought to be established.

Answer "Yes" or "No."

Answer: YES

Answer the following question only if you unanimously answered "Yes" to Question 5. Otherwise, do not answer the following question.

You must unanimously agree on the amount of any award of exemplary damages.

QUESTION NO. 6

What sum of money, if any, if paid now in cash, should be assessed against Defendant, JUAN ANTONIO LOZADA, and awarded to Plaintiff, JOSE ANTONIO VENERO as exemplary damages, if any, for the conduct found in response to Question 5?

"Exemplary damages" means an amount that you may in your discretion award as a penalty or by way of punishment.

Factors to consider in awarding exemplary damages, if any, are--

1. The nature of the wrong.
2. The character of the conduct involved.
3. The degree of culpability of Defendant, JUAN ANTONIO LOZADA.
4. The situation and sensibilities of the parties concerned.
5. The extent to which such conduct offends a public sense of justice and propriety.
6. The net worth of Defendant, JUAN ANTONIO LOZADA.

Answer in dollars and cents, if any.

Answer: \$500,000

PRESIDING JUROR

1. When you go into the jury room to answer the questions, the first thing you will need to do is choose a presiding juror.
2. The presiding juror has these duties:
 - a. have the complete charge read aloud if it will be helpful to your deliberations;
 - b. preside over your deliberations, meaning manage the discussions, and see that you follow these instructions;
 - c. give written questions or comments, if any, to the Judicial Executive Assistant who will give them to the judge;
 - d. write down the answers you agree on;
 - e. get the signatures for the verdict certificate;
 - f. sign the additional verdict certificate for any answers that are unanimous; and
 - g. notify the Judicial Executive Assistant that you have reached a verdict.

Do you understand the duties of the presiding juror? If you do not, please tell me now.

**INSTRUCTIONS FOR SIGNING THE VERDICT CERTIFICATE
AND ADDITIONAL VERDICT CERTIFICATE**

1. Unless otherwise instructed, you may answer the questions on a vote of 10 jurors. The same 10 jurors must agree on every answer in the charge. This means you may not have one group of 10 jurors agree on one answer and a different group of 10 jurors agree on another answer.
2. If 10 jurors agree on every answer, those 10 jurors sign the verdict. If 11 jurors agree on every answer, those 11 jurors sign the verdict. If all 12 of you agree on every answer, all twelve of you should sign the verdict.
3. All jurors should deliberate on every question. You may end up with all 12 of you agreeing on some answers, while only 10 or 11 of you agree on other answers. But when you sign the verdict, only those who agree on every answer will sign the verdict.
4. The presiding juror shall sign the additional certificate for any of those specified questions on which the jury was unanimous.

Do you understand these instructions? If you do not, please tell me now.

Submitted to the jury on January 16, 2026, at 10:37 o'clock a.m.



Jan Soifer, Judge Presiding

VERDICT CERTIFICATE

Cynthia Templer
Cynthia Templer

Isaac Kelly
Isaac Kelly

Kacey Hanson
Kacey Hanson

Angelika Lucero
Angelika Lucero

Bradley Tamkin
Bradley Tamkin

David Min
David Min

Mariah King
Mariah King

Larissa Baggett
Larissa Baggett

Mara Hinson
Mara Hinson

Mary Moulthrop
Mary Moulthrop

Margaret Owen
Margaret Owen

Luis Valerio
Luis Valerio

ADDITIONAL VERDICT CERTIFICATE

I certify that the jury was unanimous in answering the following questions. All twelve of us agreed to each of the following answers for which the presiding juror has signed. The presiding juror has signed this additional certificate for all twelve of us.

Question 5:

Signature of Presiding Juror

Printed Name of Presiding Juror

Question 6:

Signature of Presiding Juror

Printed Name of Presiding Juror