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UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

MKB CONSTRUCTORS,  
  
Plaintiff,

v.

AMERICAN ZURICH INSURANCE  
COMPANY,  
  
Defendant.

CASE NO. C13-0611JLR  
  
VERDICT FORM

We, the jury, being duly impaneled and sworn, provide the following answers to  
the questions submitted by the court:

**QUESTION NO. 1:** Do you find by a preponderance of the evidence that Plaintiff MKB  
Constructors has proven its claim that Defendant American Zurich Insurance Company  
breached the insurance contract by denying Claim No. 5570105355?

YES  X  NO \_\_\_\_\_

1 If you answered "Yes" to Question No. 1, then you must answer Question No. 2. If you  
2 answered "No" to Question No. 1, then you must skip Question No. 2 and continue with  
3 Question No. 3.

4 **QUESTION NO. 2:** What do you find is the amount of damages that MKB Constructors  
5 incurred as a result of American Zurich Insurance Company's breach of the insurance  
6 contract?

7 \$ 1,083,424.24

8 **QUESTION NO. 3:** Do you find by a preponderance of the evidence that Plaintiff MKB  
9 Constructors has proven its claim that Defendant American Zurich Insurance Company  
10 violated the Washington Insurance Fair Conduct Act?

11 YES  NO

12 If you answered "yes" to Question No. 3, then you must answer Question No. 4. If you  
13 answered "no" to Question No. 3, then you must skip Question No. 4 and continue with  
14 Question No. 5.

15 **QUESTION NO. 4:** Without duplicating any damages that you may have found in  
16 Question No. 2, what is the amount of MKB Constructors' damages proximately caused  
17 by American Zurich Insurance Company's violation of the Washington Insurance Fair  
18 Conduct Act?

19 \$ 274,482.47

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1 **QUESTION NO. 5:** Do you find by a preponderance of the evidence that Plaintiff MKB  
2 Constructors has proven its claim that Defendant American Zurich Insurance Company  
3 failed to act in good faith?

4 YES  NO \_\_\_\_\_

5 *If you answered "yes" to Question No. 5, then you must answer Question No. 6. If you*  
6 *answered "no" to Question No. 5, but "yes" to Question No. 3, then you must skip*  
7 *Question No. 6 and answer Question No. 7. If you answered "no" to Question No. 5 and*  
8 *"no" to Question No. 3, then you must skip Question Nos. 6, 7, and 8, sign and date this*  
9 *form, and notify the courtroom deputy that you have reached a verdict.*

10 **QUESTION NO. 6:** Without duplicating any damages that you may have found in  
11 Question Nos. 2 and 4, what is the amount of MKB Constructors' damages proximately  
12 caused by American Zurich Insurance Company's failure to act in good faith?

13 \$138,000

14 *If you responded "yes" to Question No. 3, then you must answer Question No. 7. If you*  
15 *responded "no" to Question No. 3, then you must skip Question Nos. 7 and 8, sign and*  
16 *date this form, and notify the courtroom deputy that you have reached a verdict.*

17 **QUESTION NO. 7:** If you answered "yes" to Question No. 3, do you find by a  
18 preponderance of the evidence that Plaintiff MKB Constructors has proven that it should  
19 receive enhanced damages under the Washington Insurance Fair Conduct Act?

20 YES  NO \_\_\_\_\_

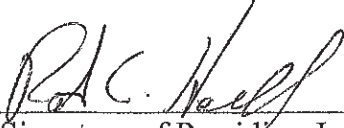
1 If you responded "yes" to Question No. 7, then you must answer Question No. 8. If you  
2 responded "no" to Question No. 7, then you must skip Question No. 8, sign and date this  
3 form, and notify the courtroom deputy that you have reached a verdict.

4 **QUESTION NO. 8:** What is the amount of enhanced damages that you find should be  
5 awarded to MKB Constructors under the Washington Insurance Fair Conduct Act? Any  
6 amount that you write in response to this question cannot be more than two times the sum  
7 of the amounts you wrote in response to Question Nos. 2 and 4.

8 \$862,000

9 Please sign and date this form, and notify the courtroom deputy that you have reached a  
10 verdict.

11 Dated this 24 day of October, 2014.

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15 Signature of Presiding Juror