

The Honorable James E. Rogers

FILED
KING COUNTY, WASHINGTON

DEC 18 2023

SUPERIOR COURT CLERK
BY David Roberts
DEPUTY

SUPERIOR COURT OF THE STATE OF WASHINGTON
IN AND FOR KING COUNTY

BARD

Plaintiffs,

v.

PHARMACIA LLC, a Delaware limited liability
corporation,

Defendants.

No. 21-2-14305-5 SEA

VERDICT FORM

We, the jury, answer the questions submitted by the court as follows:

QUESTION 1: Did the defendant supply a product that was not reasonably safe in construction?

ANSWER: YES NO

QUESTION 2: Did the defendant supply a product that was not reasonably safe as designed?

ANSWER: YES NO

QUESTION 3: Did the defendant supply a product that was not reasonably safe because adequate warnings or instructions were not provided with the product?

ANSWER: YES NO

QUESTION 4: Was the defendant negligent in that it supplied a product that was not reasonably safe because adequate warnings or instructions were not provided after the product was manufactured?

ANSWER: YES NO

ORIGINAL

(If you answered "Yes" to Question 1 or Question 2 or Question 3 or Question 4, proceed to Question 5. If you answered "No" to Question 1 AND Question 2 AND Question 3 AND Question 4, answer no more questions and sign and date this verdict form.)

QUESTION 5: Was the not reasonably safe condition of the product a proximate cause of injury or damage to any of the following plaintiffs?

ANSWER:	<u>[blurred]</u>	YES <u>X</u>	NO _____
	<u>[blurred]</u>	YES <u>X</u>	NO _____
	<u>[blurred]</u>	YES <u>X</u>	NO _____
	<u>[blurred]</u>	YES <u>X</u>	NO _____
	<u>[blurred]</u>	YES <u>X</u>	NO _____
	<u>[blurred]</u>	YES <u>X</u>	NO _____
	<u>[blurred]</u>	YES <u>X</u>	NO _____

(If you answered "Yes" in response to one or more plaintiffs, proceed to Question 6. If you answered "No" in response to all plaintiffs in Question 5, answer no more questions and sign and date this verdict form.)

QUESTION 6: For each plaintiff for whom you answered "Yes" in Question 5, what do you find to be the amount of damages to compensate that plaintiff? Only answer this question for the plaintiff(s) for whom you answered "Yes" in Question 5.

ANSWER:	<u>[blurred]</u>	\$ <u>7 million</u>
	<u>[blurred]</u>	\$ <u>15 million</u>
	<u>[blurred]</u>	\$ <u>12 million</u>
	<u>[blurred]</u>	\$ <u>3 million</u>
	<u>[blurred]</u>	\$ <u>12 million</u>
	<u>[blurred]</u>	\$ <u>4 million</u>
	<u>[blurred]</u>	\$ <u>20 million</u>

(If you answered "Yes" to Question 2 or Question 3 or Question 4 AND awarded damages on Question 6 to any plaintiff, answer Question 7, otherwise answer no more questions and sign and date this verdict form.)

QUESTION 7: For each plaintiff for whom you awarded damages in Question 6, due to a finding of liability on Question 2 or Question 3 or Question 4, should punitive damages be awarded against defendant in the case of that plaintiff? Only answer this question for the plaintiff(s) for whom you awarded damages in Question 6.

ANSWER:	XXXXXXXXXX	YES <input checked="" type="checkbox"/>	NO _____
	XXXXXXXXXX	YES <input checked="" type="checkbox"/>	NO _____
	XXXXXXXXXX	YES <input checked="" type="checkbox"/>	NO _____
	XXXXXXXXXX	YES <input checked="" type="checkbox"/>	NO _____
	XXXXXXXXXX	YES <input checked="" type="checkbox"/>	NO _____
	XXXXXXXXXX	YES <input checked="" type="checkbox"/>	NO _____
	XXXXXXXXXX	YES <input checked="" type="checkbox"/>	NO _____

(If you answered "Yes" in regard to a plaintiff in Question 7, answer Questions 8 and 9. If you answered "No" for all plaintiffs in Question 7, skip to Question 10.)

QUESTION 8: If you answered "Yes" in regard to a plaintiff in Question 7, please identify which claim(s), if any, form the basis for your determination that punitive damages are appropriate.

Question 2 (Not reasonable safe as designed)	YES <input checked="" type="checkbox"/>	NO _____
Question 3 (Failure to warn with product)	YES <input checked="" type="checkbox"/>	NO _____
Question 4 (Failure to warn after sale)	YES <input checked="" type="checkbox"/>	NO _____

QUESTION 9: For each plaintiff for whom you answered "Yes" in Question 7, what do you find to be the appropriate amount of punitive damages to be awarded? Only answer this question for the plaintiff(s) for whom you answered "Yes" in Question 7.

ANSWER:	XXXXXXXXXX	\$ <u>112 million</u>
	XXXXXXXXXX	\$ <u>112 million</u>

	\$ <u>112 million</u>
	\$ <u>112 million</u>
	\$ <u>112 million</u>
	\$ <u>112 million</u>
	\$ <u>112 million</u>

QUESTION 10: Were any of the following plaintiffs harmed by PCBs within the "useful safe life" of PCBs?

ANSWER:

	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>
	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>
	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>
	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>
	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>
	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>
	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>

(If you answered "Yes" in response to Question 10, answer no more questions and sign and date this verdict form. If you answered "No" to Question 10, answer Question 11.)

QUESTION 11: Did the defendant intentionally misrepresent facts about its product or intentionally conceal information about its product?

YES NO

QUESTION 12: If you answered "YES" to Question 11, was defendant's conduct in intentionally misrepresenting facts about its product or intentionally concealing information about its product a proximate cause of any of the following plaintiffs' harm?

ANSWER:

	YES <input type="checkbox"/>	NO <input type="checkbox"/>
	YES <input type="checkbox"/>	NO <input type="checkbox"/>

[Blurred text]

YES _____ NO _____

YES _____ NO _____

YES _____ NO _____

YES _____ NO _____

YES _____ NO _____

DIRECTION: Please sign and date this Verdict Form and notify the bailiff.

12/18/2023
Date

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