

IN THE UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF ALABAMA
SOUTHERN DIVISION

[Redacted]

Plaintiff,

v.

[Redacted]

Defendants.

1:04CV267

VERDICT FORM

PROMISSORY FRAUD CLAIM

1) Do you find that the plaintiff has proven by a preponderance of the evidence that [Redacted] did not intend to perform the terms and conditions of the sign contract at the time it was entered into by the parties?

Yes No

If you have answered "yes" to this question, what amount of damages, if any, do you find that defendants' conduct proximately caused [Redacted]

Three Million Five Hundred Thousand Dollars (\$ 3,500,000.00).

2) Do you find that the plaintiff has proven by a preponderance of the evidence that [Redacted] did not intend to perform the terms and conditions of the louvers and entry contract at the time it was entered into by the parties?

Yes No

If you have answered "yes" to this question, what amount of damages, if any, do you find that defendants' conduct proximately caused [Redacted]

Zero Dollars (\$ 0.00).

If you have answered "no" to both of the foregoing questions, then you should proceed to Question No. 5.

CONVERSION CLAIMS

3) Do you find that plaintiff has proven by a preponderance of the evidence:

A) That [redacted] unlawfully converted, took possession of or exercised dominion over the tools, dies and molds belonging to [redacted]

Yes No

B) If your answer to this interrogatory is "yes," please state the fair market value of the property converted by [redacted]

Two Hundred Thousand — Dollars (\$200,000.00).

C) That [redacted] unlawfully converted, took possession of or exercised dominion over the drawings and plans belonging to [redacted]

Yes No

D) If your answer to this interrogatory is "yes," please state the fair market value of the property converted by [redacted]

One Hundred Twenty Seven Thousand — Dollars (\$127,000.00).

E) That [redacted] unlawfully converted, took possession of or exercised dominion over the drawings and plans belonging to [redacted]

Yes No

F) If your answer to this interrogatory is "yes," please state the fair market value of the property converted by [REDACTED]

Zero — Dollars (\$ 0.00).

PUNITIVE DAMAGES

4) Do you find that the plaintiff has proven by clear and convincing evidence that it is entitled to recover punitive damages as set forth in Instruction No. 23?

Yes No

If you have answered yes to this question, what amount of punitive damages to you find should be awarded to plaintiff.

Ten Million — Dollars (\$ 10,000,000.00).

[REDACTED] BREACH OF CONTRACT CLAIM

5) Do you find that the defendant [REDACTED] has proven by a preponderance of the evidence:

A) That [REDACTED] and [REDACTED] entered into a valid and binding sign contract.

Yes No

B) If your answer is "yes," do you find that [REDACTED] has proven by a preponderance of the evidence that [REDACTED] breached its obligations under the sign contract?

Yes No

C) If your answer is "yes," has [REDACTED] proven by a preponderance of the evidence that it performed its obligations under the contract or, any such obligations that were not performed, its performance was excused as a result of [REDACTED] breach.

Yes No

D) If your answer is "yes," has [redacted] proven by a preponderance of the evidence that it was damaged as a result of [redacted] breach of contract.

Yes No

E) If your answer is "yes," state the amount of damages which [redacted] has proven by a preponderance of the evidence.

_____ Dollars (\$_____).

6) Do you find that the defendant [redacted] has proven by a preponderance of the evidence:

A) That [redacted] and [redacted] entered into a valid and binding louver and entry contract.

Yes No

B) If your answer is "yes," do you find that [redacted] has proven by a preponderance of the evidence that [redacted] breached its obligations under the louver and entry contract?

Yes No

C) If your answer is "yes," has [redacted] proven by a preponderance of the evidence that it performed its obligations under the contract or, any such obligations that were not performed, its performance was excused as a result of [redacted] breach.

Yes No

D) If your answer is "yes," has [redacted] proven by a preponderance of the evidence that it was damaged as a result of [redacted] breach of contract.

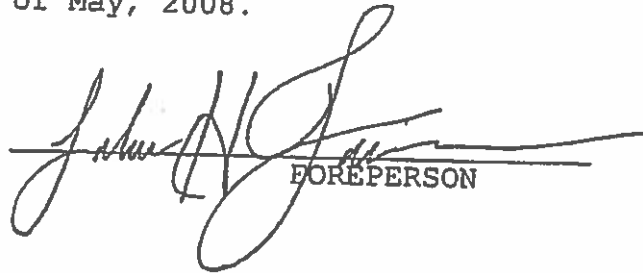
Yes No

E) If your answer is "yes," state the amount of damages which [redacted] has proven by a preponderance of the evidence.

_____ Dollars (\$ _____).

You have completed your deliberations, and your foreperson should date and sign the verdict form.

DATED this 8th day of May, 2008.


FOREPERSON