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SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF ALAMEDA

FILED
ALAMEDA COUNTY

OCT 07 2015

JAMES HARKIN,

CLERK OF THE SUPERIOR COURT
By Daniell Salasquez
Deputy

Plaintiff,

Case No. RG15-758794

v.

SPECIAL VERDICT

JOHN CRANE INC.;
OSCAR E. ERICKSON
INCORPORATED,

Defendants.

_____/

We, the jury in the above-entitled action find the following special verdict on the questions submitted to us:

1. Was JAMES HARKIN exposed to asbestos from packing products which were manufactured by JOHN CRANE INC.?

ANSWER: ✓ YES NO

If "yes" answer the next question. If "no" go to question 11.

2. Was JOHN CRANE INC.'S asbestos containing packing defective in that it failed to perform as safely as an ordinary consumer would expect when used in a reasonably foreseeable manner?

ANSWER: YES ✓ NO

If yes, answer the next question. If no, go to question 4.

3. Was the failure of JOHN CRANE INC.'S asbestos containing packing to perform as safely as an ordinary consumer would expect a substantial factor in causing JAMES HARKIN'S illness?

ANSWER: _____YES _____NO

Answer the next question.

4. Did JOHN CRANE INC.'S asbestos containing packing have potential health risks that were known or knowable through the scientific and medical knowledge that was generally accepted in the scientific community at the time of JOHN CRANE INC.'S manufacture, distribution, or sale of the product?

ANSWER: _____YES ☒ _____NO

If yes, answer the next question. If no, go to question 9.

5. Did the potential health risks from JOHN CRANE INC.'S asbestos containing packing present a substantial danger to persons using the product in an intended or reasonably foreseeable way?

ANSWER: _____YES _____NO

If yes, answer the next question. If no, go to question 9.

6. Would ordinary consumers have recognized the potential health risks of JOHN CRANE INC.'S asbestos containing packing?

ANSWER: _____YES _____NO

If no, answer the next question. If yes, go to question 9.

7. Did JOHN CRANE INC. fail to adequately warn or instruct ordinary consumers regarding known or knowable health risks associated with its asbestos containing packing?

ANSWER: _____ YES _____ NO

If yes, answer the next question. If no, go to question 9.

8. Was the lack of sufficient warnings or instructions on JOHN CRANE INC.'S packing a substantial factor in causing harm to JAMES HARKIN?

ANSWER: _____ YES _____ NO

Answer the next question.

9. Was JOHN CRANE INC. negligent?

ANSWER: _____ YES ☒ NO

If yes, answer the next question. If no, go to question 11.

10. Was JOHN CRANE INC.'S negligence a substantial factor in causing JAMES HARKIN'S mesothelioma?

ANSWER: _____ YES _____ NO

Answer the next question

11. Was JAMES HARKIN exposed to asbestos by the activities of OSCAR E. ERICKSON INCORPORATED?

ANSWER: _____ YES ☒ NO

If yes, answer the next question. If no, go to the instructions for question 14.

12. Was OSCAR E. ERICKSON INCORPORATED negligent?

ANSWER: _____YES _____NO

If yes, answer the next question. If no, go to the instructions for question 14.

13. Was OSCAR E. ERICKSON INCORPORATED'S negligence a substantial factor in causing JAMES HARKIN'S mesothelioma?

ANSWER: _____YES _____NO

INSTRUCTIONS for QUESTION 14:

Answer question 14 only if your answer to question 3, or question 8, or question 10 or question 13 was YES. If you answered NO to all of those questions or the questions were skipped according to the instructions on this form, then date, sign and return this verdict form and do not answer any more questions.

14. As a result of his mesothelioma, what is the total amount of JAMES HARKIN'S economic damages?

ANSWER: \$ _____

Answer the next question.

15. As a result of his mesothelioma, what is the total amount of JAMES HARKIN'S non-economic damages, including physical pain and mental suffering?

ANSWER: \$ _____

Answer the next question.

16. Assuming that 100% represents the total fault for the harm to JAMES HARKIN, what percentage is attributable to the negligence, fault, wrongful conduct and/or defective products of defendant(s) and what percentage is attributable to the negligence, fault, wrongful conduct and/or defective products, if any, of plaintiff JAMES HARKIN and/or OTHERS who are not a party to this lawsuit?

ANSWER:

JOHN CRANE INC	_____	%
OSCAR E. ERICKSON INCORPORATED	_____	%
JAMES HARKIN	_____	%
OTHERS	_____	%
TOTAL MUST EQUAL =		100%

The presiding juror must sign and date your verdict form and return it in the envelope provided to the Court Attendant.

DATED: 10/7/2015

Alex M
PRESIDING JUROR # 6