

IN THE CIRCUIT COURT OF THE TENTH  
JUDICIAL CIRCUIT IN AND FOR  
HIGHLANDS COUNTY, FLORIDA

MARK V. MCLEAN, MICHAEL FITCH,  
LISA SHERMAN, AND JAMES ARCHIE  
BENNETT As Personal Representatives for  
the Estate of LEONARD C. SMITH, III,

Plaintiffs,

v.

CASE NO.: 2010CA000905

CERTAINEED CORPORATION., et al.;

Defendants

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VERDICT FORM

We, the jury, return the following verdict:

1. Did Defendant CERTAINEED CORPORATION place products on the market with a defect which was a legal cause of loss, injury, or damage to Decedent LENNY SMITH?

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

2. Was there negligence on the part of Defendant, CERTAINEED CORPORATION, which was a legal cause of loss, injury, or damage to Decedent LENNY SMITH?

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

If your answer to questions 1 and 2 are both NO, your verdict is for CERTAINEED, and you should not proceed further except to date and sign this verdict form and return it to the courtroom. If your answer to any question 1 through 2 is YES, please answer all of the following questions.

Please answer question 3.

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ROSEMARY DEANMAINE  
CLERK  
HIGHLANDS COUNTY, FL

FILED

3. Was there negligence or defect on the part of the following entities which was a contributing legal cause of loss, injury, or damage to Plaintiff?

JOHNS-MANVILLE CORP.	YES _____	NO _____
THE GREAT FRUIT COMPANY	YES _____	NO _____
GUS SMITH	YES _____	NO _____

4. State the percentage of fault, if any, which was a legal cause of loss, injury, or damage to Decedent LENNY SMITH that you charge to:

CERTAINTEED CORPORATION	_____ %
JOHNS-MANVILLE CORP.	_____ %
THE GREAT FRUIT COMPANY	_____ %
GUS SMITH	_____ %

Total must be 100%

Note: For any response of "NO" to question 1, 2, or 3, place a zero as to that person or entity in answering question 4.

In determining the amount of damages, do not make any reduction because of the fault, if any, of other entities. If you find that the other entities were at fault, the Court in entering judgment will make an appropriate reduction in the damages awarded.

Please answer question 5.

#### DAMAGES OF THE ESTATE

5. What is the total amount of any damages lost by the estate for any earnings of the decedent LENNY SMITH lost from the date of injury to the death not including any amount of support lost by a survivor in that period, the amount of any medical expenses resulting from LENNY SMITH'S injury and death charged to the estate or paid by someone other than a survivor, and loss of net accumulations?

\$ \_\_\_\_\_

**DAMAGES OF SEBRINA SMITH**

**6. What is the amount of any damages sustained by SEBRINA SMITH for the loss of the LENNY SMITH'S support?**

\$ \_\_\_\_\_

**7. What is the total amount of damages sustained by SEBRINA SMITH for the loss of her husband's companionship and protection and for her pain and suffering as a result of LENNY SMITH'S injury and death?**

\$ \_\_\_\_\_

**TOTAL DAMAGES OF SEBRINA SMITH  
(add lines 6 and 7)**

\$ \_\_\_\_\_

**DAMAGES OF SOMER SMITH**

**8. What is the total amount of damages sustained by SOMER SMITH for the loss of the LENNY SMITH'S support?**

\$ \_\_\_\_\_

**9. What is the total amount of damages sustained by SOMER SMITH for the loss of parental companionship, instruction and guidance and SOMER SMITH'S pain and suffering as a result of LENNY SMITH'S injury and death?**

\$ \_\_\_\_\_

**TOTAL DAMAGES OF SOMER SMITH  
(add lines 8 and 9)**

\$ \_\_\_\_\_

**DAMAGES OF L.C. SMITH**

**10.** What is the total amount of damages sustained by L.C. SMITH for the loss of the LENNY SMITH'S support?

\$ \_\_\_\_\_

**11.** What is the total amount of damages sustained by L.C. SMITH for the loss of parental companionship, instruction and guidance and L.C. SMITH'S pain and suffering as a result of LENNY SMITH'S injury and death?

\$ \_\_\_\_\_

**TOTAL DAMAGES OF L.C. SMITH**  
(add lines 10 and 11)

\$ \_\_\_\_\_

SO SAY WE ALL, this 7<sup>th</sup> day of July, 2016

  
FOREPERSON

Dennis Birkholz

UNOFFICIAL DOCUMENT