SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF LOS ANGELES

LAOSD ASBESTOS CASES

JCCP Case No. 4674

Case No. BC604809

PETER J. LAMONICA and EXINE LAMONICA,

Plaintiffs,

vs.

COLGATE-PALMOLIVE COMPANY (as successor-in-interest to THE MENNEN COMPANY), **and VARIOUS OTHER DEFENDANTS,**

Defendants.

VERDICT FORM

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WE, THE JURY in the above-entitled action, find the following verdict on the questions submitted to us:

1. Did Peter LaMonica use one or more of the products designed, manufactured, sold, or distributed by any defendant listed below?

Colgate-Palmolive, as successor-in-interest to Mennen (Mennen Shave Talc)	Yes ✓	No__
Elementis Chemicals, Inc., as successor-in-interest to Harrisons & Crosfield (Pacific), Inc. (hereinafter, "Elementis, as successor-in-interest to Harrisons & Crosfield (Pacific)") (fiber supplier)	Yes ✓	No__
Rich-Tex (joint compound)	Yes ✓	No__
Union Carbide (fiber supplier)	Yes ✓	No__

If you answered "Yes" as to any defendant(s), answer the next question as to that defendant(s) only.
If you answered "No" as to any defendant(s), then stop here, and answer no further questions for that defendant(s).
If you answered "No" as to ALL DEFENDANTS, then stop here, answer no further questions, and have the presiding juror should sign and date this form.

2. Was Peter LaMonica exposed to asbestos from one or more of the following products designed, manufactured, sold, or distributed by defendant?

Colgate-Palmolive, as successor-in-interest to Mennen (Mennen Shave Talc)	Yes__	No ✓
Elementis, as successor-in-interest to Harrisons & Crosfield (Pacific) (fiber supplier)	Yes ✓	No__
Rich-Tex (joint compound)	Yes ✓	No__
Union Carbide (fiber supplier)	Yes ✓	No__

If you answered "Yes" as to any defendant(s), answer the next question as to that defendant(s) only.
If you answered "No" as to any defendant(s), then stop here, and answer no further questions for that defendant(s).
If you answered "No" as to ALL DEFENDANTS, then stop here, answer no further questions, and have the presiding juror should sign and date this form.

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Negligence

3. Was defendant negligent?

Colgate-Palmolive, as successor-in-interest to Mennen (Mennen Shave Talc)	Yes__	No__
Elementis, as successor-in-interest to Harrisons & Crosfield (Pacific) (fiber supplier)	Yes__	No✓
Rich-Tex (joint compound)	Yes✓	No__
Union Carbide (fiber supplier)	Yes__	No✓

If you answered "Yes" as to any defendant(s), answer the next question as to that defendant(s) only.
If you answered "No" as to any defendant(s), go to Question 5 as to that defendant(s).
If you answered "No" as to ALL DEFENDANTS, go to Question 5 for all defendants.

4. Was defendant's negligence a substantial factor in contributing to Peter LaMonica's risk of developing mesothelioma?

Colgate-Palmolive, as successor-in-interest to Mennen (Mennen Shave Talc)	Yes__	No__
Elementis, as successor-in-interest to Harrisons & Crosfield (Pacific) (fiber supplier)	Yes__	No__
Rich-Tex (joint compound)	Yes✓	No__
Union Carbide (fiber supplier)	Yes__	No__

Answer the next question.

Product Liability – Negligent Failure to Warn

5. Did defendant know or should it reasonably have known that its product was dangerous or was likely to be dangerous when used or misused in a reasonably foreseeable manner?

Colgate-Palmolive, as successor-in-interest to Mennen (Mennen Shave Talc)	Yes__	No__
Elementis, as successor-in-interest to Harrisons & Crosfield (Pacific) (fiber supplier)	Yes✓	No__
Rich-Tex (joint compound)	Yes✓	No__
Union Carbide (fiber supplier)	Yes✓	No__

If you answered "Yes" as to any defendant(s), answer the next question as to that defendant(s) only.
If you answered "No" as to any defendant(s), go to Question 10 as to that defendant(s).
If you answered "No" as to ALL DEFENDANTS, go to Question 10 for all defendants.

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6. Did defendant know or should it reasonably have known that users would not realize the danger?

Colgate-Palmolive, as successor-in-interest to Mennen (Mennen Shave Talc)	Yes__	No__
Elementis, as successor-in-interest to Harrisons & Crosfield (Pacific) (fiber supplier)	Yes✓	No__
Rich-Tex (joint compound)	Yes✓	No__
Union Carbide (fiber supplier)	Yes✓	No__

If you answered "Yes" as to any defendant(s), answer the next question as to that defendant(s) only.
If you answered "No" as to any defendant(s), go to Question 10 as to that defendant(s).
If you answered "No" as to ALL DEFENDANTS, go to Question 10 for all defendants.

7. Did defendant fail to adequately warn of the danger or instruct on the safe use of its product?

Colgate-Palmolive, as successor-in-interest to Mennen (Mennen Shave Talc)	Yes__	No__
Elementis, as successor-in-interest to Harrisons & Crosfield (Pacific) (fiber supplier)	Yes__	No✓
Rich-Tex (joint compound)	Yes✓	No__
Union Carbide (fiber supplier)	Yes__	No✓

If you answered "Yes" as to any defendant(s), answer the next question as to that defendant(s) only.
If you answered "No" as to any defendant(s), go to Question 10 as to that defendant(s).
If you answered "No" as to ALL DEFENDANTS, go to Question 10 for all defendants.

8. Would a reasonable manufacturer, distributer, or seller under the same or similar circumstances have warned of the danger or instructed on the safe use of its product?

Colgate-Palmolive, as successor-in-interest to Mennen (Mennen Shave Talc)	Yes__	No__
Elementis, as successor-in-interest to Harrisons & Crosfield (Pacific) (fiber supplier)	Yes__	No__
Rich-Tex (joint compound)	Yes✓	No__
Union Carbide (fiber supplier)	Yes__	No__

If you answered "Yes" as to any defendant(s), answer the next question as to that defendant(s) only.
If you answered "No" as to any defendant(s), go to Question 10 as to that defendant(s).
If you answered "No" as to ALL DEFENDANTS, go to Question 10 for all defendants.

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9. Was the lack of sufficient warnings or instructions from the defendant a substantial factor in contributing to Peter LaMonica's risk of developing mesothelioma?

Colgate-Palmolive, as successor-in-interest to Mennen (Mennen Shave Talc)	Yes__	No__
Elementis, as successor-in-interest to Harrisons & Crosfield (Pacific) (fiber supplier)	Yes__	No__
Rich-Tex (joint compound)	Yes✓	No__
Union Carbide (fiber supplier)	Yes__	No__

Answer the next question.

Strict Product Liability – Design Defect - CE

10. Did defendant's product fail to perform as safely as an ordinary consumer would have expected when used in a reasonably foreseeable manner?

Colgate-Palmolive, as successor-in-interest to Mennen (Mennen Shave Talc)	Yes__	No__
Elementis, as successor-in-interest to Harrisons & Crosfield (Pacific) (fiber supplier)	Yes__	No✓
Rich-Tex (joint compound)	Yes✓	No__
Union Carbide (fiber supplier)	Yes__	No✓

If you answered "Yes" as to any defendant(s), answer the next question as to that defendant(s) only.
If you answered "No" as to any defendant(s), go to Question 12 as to that defendant(s).
If you answered "No" as to ALL DEFENDANTS, go to Question 12 for all defendants.

11. Was defendant's product's design a substantial factor in contributing to Peter LaMonica's risk of developing mesothelioma?

Colgate-Palmolive, as successor-in-interest to Mennen (Mennen Shave Talc)	Yes__	No__
Elementis, as successor-in-interest to Harrisons & Crosfield (Pacific) (fiber supplier)	Yes__	No__
Rich-Tex (joint compound)	Yes✓	No__
Union Carbide (fiber supplier)	Yes__	No__

Answer the next question only as to any defendant(s) for which you answered "Yes" to Question 2.

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Strict Product Liability – Design Defect - RB

12. Did the risk of defendant's product's design outweigh the benefits of the design?

Colgate-Palmolive, as successor-in-interest to Mennen (Mennen Shave Talc)	Yes__	No__
Elementis, as successor-in-interest to Harrisons & Crosfield (Pacific) (fiber supplier)	Yes__	No✓
Rich-Tex (joint compound)	Yes__	No✓
Union Carbide (fiber supplier)	Yes__	No✓

If you answered "Yes" as to any defendant(s), answer the next question as to that defendant(s) only.
If you answered "No" as to any defendant(s), go to Question 14 as to that defendant(s).
If you answered "No" as to ALL DEFENDANTS, go to Question 14 for all defendants.

13. Was the risk in defendant's product's design a substantial factor contributing to Peter LaMonica's risk of developing mesothelioma?

N/A

Colgate-Palmolive, as successor-in-interest to Mennen (Mennen Shave Talc)	Yes__	No__
Elementis, as successor-in-interest to Harrisons & Crosfield (Pacific) (fiber supplier)	Yes__	No__
Rich-Tex (joint compound)	Yes__	No__
Union Carbide (fiber supplier)	Yes__	No__

Answer the next question.

Strict Product Liability – Failure to Warn

14. Did defendant's product have potential risks that were known or knowable in light of the scientific knowledge that was generally accepted in the scientific community at the time of manufacture, distribution, or sale of each product?

Colgate-Palmolive, as successor-in-interest to Mennen (Mennen Shave Talc)	Yes__	No__
Elementis, as successor-in-interest to Harrisons & Crosfield (Pacific) (fiber supplier)	Yes✓	No__
Rich-Tex (joint compound)	Yes✓	No__
Union Carbide (fiber supplier)	Yes✓	No__

If you answered "Yes" as to any defendant(s), answer the next question as to that defendant(s) only.
If you answered "No" as to any defendant(s), go to Question 19 as to that defendant(s).
If you answered "No" as to ALL DEFENDANTS, go to Question 19 for all defendants.

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15. Did the potential risk of defendant's product present a substantial danger to persons using the product in an intended or reasonably foreseeable way?

Colgate-Palmolive, as successor-in-interest to Mennen (Mennen Shave Talc)	Yes__	No__
Elementis, as successor-in-interest to Harrisons & Crosfield (Pacific) (fiber supplier)	Yes__	No✓
Rich-Tex (joint compound)	Yes✓	No__
Union Carbide (fiber supplier)	Yes__	No✓

If you answered "Yes" as to any defendant(s), answer the next question as to that defendant(s) only.
If you answered "No" as to any defendant(s), go to Question 19 as to that defendant(s).
If you answered "No" as to ALL DEFENDANTS, go to Question 19 for all defendants.

16. Would ordinary consumers have recognized the potential risks of defendant's product?

Colgate-Palmolive, as successor-in-interest to Mennen (Mennen Shave Talc)	Yes__	No__
Elementis, as successor-in-interest to Harrisons & Crosfield (Pacific) (fiber supplier)	Yes__	No__
Rich-Tex (joint compound)	Yes__	No✓
Union Carbide (fiber supplier)	Yes__	No__

If you answered "No" as to any defendant(s), answer the next question as to that defendant(s) only.
If you answered "Yes" as to any defendant(s), go to Question 19 as to that defendant(s).
If you answered "Yes" as to ALL DEFENDANTS, go to Question 19 for all defendants.

17. Did defendant fail to adequately warn of the potential risks of its product?

Colgate-Palmolive, as successor-in-interest to Mennen (Mennen Shave Talc)	Yes__	No__
Elementis, as successor-in-interest to Harrisons & Crosfield (Pacific) (fiber supplier)	Yes__	No__
Rich-Tex (joint compound)	Yes✓	No__
Union Carbide (fiber supplier)	Yes__	No__

If you answered "Yes" as to any defendant(s), answer the next question as to that defendant(s) only.
If you answered "No" as to any defendant(s), go to Question 19 as to that defendant(s).
If you answered "No" as to ALL DEFENDANTS, go to Question 19 for all defendants.

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18. Was defendant's failure to adequately warn a substantial factor in contributing to Peter LaMonica's risk of developing mesothelioma?

Colgate-Palmolive, as successor-in-interest to Mennen (Mennen Shave Talc)	Yes__	No__
Elementis, as successor-in-interest to Harrisons & Crosfield (Pacific) (fiber supplier)	Yes__	No__
Rich-Tex (joint compound)	Yes✓	No__
Union Carbide (fiber supplier)	Yes__	No__

Answer the next question.

Intentional Misrepresentation

19. Did defendant make a false representation to Peter LaMonica?

Colgate-Palmolive, as successor-in-interest to Mennen (Mennen Shave Talc)	Yes__	No__
Elementis, as successor-in-interest to Harrisons & Crosfield (Pacific) (fiber supplier)	Yes__	No✓
Union Carbide (fiber supplier)	Yes__	No✓

If you answered "Yes" as to any defendant(s), answer the next question as to that defendant(s) only.
If you answered "No" as to any defendant(s), go to Question 24 as to that defendant(s).
If you answered "No" as to ALL DEFENDANTS, go to Question 24 for all defendants.

20. Did defendant know that the representation was false, or did defendant make the representation recklessly and without regard for its truth?

Colgate-Palmolive, as successor-in-interest to Mennen (Mennen Shave Talc)	Yes__ ⊘ N/A	No__
Elementis, as successor-in-interest to Harrisons & Crosfield (Pacific) (fiber supplier)	Yes__	No__
Union Carbide (fiber supplier)	Yes__	No__

If you answered "Yes" as to any defendant(s), answer the next question as to that defendant(s) only.
If you answered "No" as to any defendant(s), go to Question 24 as to that defendant(s).
If you answered "No" as to ALL DEFENDANTS, go to Question 24 for all defendants.

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21. Did defendant intend that Peter LaMonica rely on the representation?

Colgate-Palmolive, as successor-in-interest to Mennen (Mennen Shave Talc)	Yes__ N/A	No__
Elementis, as successor-in-interest to Harrisons & Crosfield (Pacific) (fiber supplier)	Yes__	No__
Union Carbide (fiber supplier)	Yes__	No__

If you answered "Yes" as to any defendant(s), answer the next question as to that defendant(s) only.
If you answered "No" as to any defendant(s), go to Question 24 as to that defendant(s).
If you answered "No" as to ALL DEFENDANTS, go to Question 24 for all defendants.

22. Did Peter LaMonica reasonably rely on defendant's representation?

Colgate-Palmolive, as successor-in-interest to Mennen (Mennen Shave Talc)	Yes__ N/A	No__
Elementis, as successor-in-interest to Harrisons & Crosfield (Pacific) (fiber supplier)	Yes__	No__
Union Carbide (fiber supplier)	Yes__	No__

If you answered "Yes" as to any defendant(s), answer the next question as to that defendant(s) only.
If you answered "No" as to any defendant(s), go to Question 24 as to that defendant(s).
If you answered "No" as to ALL DEFENDANTS, go to Question 24 for all defendants.

23. Was Peter LaMonica's reliance on the defendant's representation a substantial factor in contributing to Peter LaMonica's risk of developing mesothelioma?

Colgate-Palmolive, as successor-in-interest to Mennen (Mennen Shave Talc)	Yes__ N/A	No__
Elementis, as successor-in-interest to Harrisons & Crosfield (Pacific) (fiber supplier)	Yes__	No__
Union Carbide (fiber supplier)	Yes__	No__

Answer the next question.

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Concealment

24. Did defendant intentionally fail to disclose a fact that Peter LaMonica did not know or could not reasonably have discovered?

Colgate-Palmolive, as successor-in-interest to Mennen (Mennen Shave Talc)	Yes__	No__
Elementis, as successor-in-interest to Harrisons & Crosfield (Pacific) (fiber supplier)	Yes__	No✓
Union Carbide (fiber supplier)	Yes__	No✓

If you answered "Yes" as to any defendant(s), answer the next question as to that defendant(s) only.
If you answered "No" as to any defendant(s), go to Question 28 as to that defendant(s).
If you answered "No" as to ALL DEFENDANTS, go to Question 28 for all defendants.

25. Did defendant intend to deceive Peter LaMonica by concealing the fact?

Colgate-Palmolive, as successor-in-interest to Mennen (Mennen Shave Talc)	Yes__ N/A	No__
Elementis, as successor-in-interest to Harrisons & Crosfield (Pacific) (fiber supplier)	Yes__	No__
Union Carbide (fiber supplier)	Yes__	No__

If you answered "Yes" as to any defendant(s), answer the next question as to that defendant(s) only.
If you answered "No" as to any defendant(s), go to Question 28 as to that defendant(s).
If you answered "No" as to ALL DEFENDANTS, go to Question 28 for all defendants.

26. Had the omitted information been disclosed, would Peter LaMonica reasonably have behaved differently?

Colgate-Palmolive, as successor-in-interest to Mennen (Mennen Shave Talc)	Yes__ N/A	No__
Elementis, as successor-in-interest to Harrisons & Crosfield (Pacific) (fiber supplier)	Yes__	No__
Union Carbide (fiber supplier)	Yes__	No__

If you answered "Yes" as to any defendant(s), answer the next question as to that defendant(s) only.
If you answered "No" as to any defendant(s), go to Question 28 as to that defendant(s).
If you answered "No" as to ALL DEFENDANTS, go to Question 28 for all defendants.

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27. Was defendant's concealment a substantial factor in contributing to Peter LaMonica's risk of developing mesothelioma?

N/A

Colgate-Palmolive, as successor-in-interest to Mennen (Mennen Shave Talc)	Yes__	No__
Elementis, as successor-in-interest to Harrisons & Crosfield (Pacific) (fiber supplier)	Yes__	No__
Union Carbide (fiber supplier)	Yes__	No__

If you answered "Yes" to Questions 4, 9, 11, 13, 18, 23, or 27 as to any defendant, answer the next question as to that defendant(s).
If you did not answer "Yes" for any defendant in Questions 4, 9, 11, 13, 18, 23, or 27, then stop here, answer no further questions, and have the presiding juror should sign and date this form.

Economic Damages

28. What is the total amount of Peter LaMonica's future economic damages?

Loss of Household Services	$ 42,333.00
Lost income from Mr. LaMonica's social security	$ Ø
Lost income from Mr. LaMonica's pension	$ Ø
Lost income from Mr. LaMonica's real estate rental business	$ Ø

Answer the next question only as to defendant(s) for which you answered "Yes" to Questions 4, 9, 11, 13, 18, 23, or 27.

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Non-Economic Damages

29. What are Peter LaMonica's non-economic damages:

Past non-economic damages, including: physical pain, mental suffering, loss of enjoyment of life, physical impairment, grief, anxiety, and emotional distress?

$ 1,000,000

Future non-economic damages, including: physical pain, mental suffering, loss of enjoyment of life, physical impairment, grief, anxiety, and emotional distress?

$ 2,000,000

30. What are Exine LaMonica's damages:

Past loss of her husband's love, comfort, companionship, comfort, care, assistance, protection, affection, society, moral support, and enjoyment of sexual relations?

$ 1,000,000

Future loss of her husband's love, comfort, companionship, comfort, care, assistance, protection, affection, society, moral support, and enjoyment of sexual relations?

$ 3,000,000

Answer the next question only as to any defendant(s) listed below for which you answered "Yes" to Question 2.

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Suppliers and Manufacturers

31. Did the following companies who have been sued as asbestos suppliers provide an adequate warning to manufacturers who purchased the asbestos or did they know the manufacturers knew or should have known of the potential hazard of asbestos?

Elementis, as successor-in-interest to Harrisons & Crosfield (Pacific) (fiber supplier)	Yes ✓	No__
Union Carbide (fiber supplier)	Yes ✓	No__

Answer the next question only as to any defendant(s) listed below for which you answered "Yes" to Question 2.

32. Did the following companies who have been sued as asbestos suppliers reasonably rely upon the manufacturers who purchased the asbestos to convey warnings to end users who might use the manufacturers' finished products?

Elementis, as successor-in-interest to Harrisons & Crosfield (Pacific) (fiber supplier)	Yes ✓	No__
Union Carbide (fiber supplier)	Yes ✓	No__

Answer the next question.

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33. What percentage of responsibility, if any, for Peter LaMonica's harm do you assign to each of the following? (The total must equal 100%):

[Do not assign any percentage to any defendant(s) for which you answered "No" to Question 2. Also do not assign any percentage to any defendant(s) for which you did not answer "Yes" to Question 4, 9, 11, 13, 18, 23, or 27.]

Peter LaMonica	10 %
Atlas Asbestos (fiber supplier)	0 %
Carey-Canadian (fiber supplier)	15 %
Colgate-Palmolive, as successor-in-interest to Mennen (Mennen Shave Talc)	0 %
DAP (caulk)	0 %
Elementis, as successor-in-interest to Harrisons & Crosfield (Pacific) (fiber supplier)	0 %
E.S. Browning (fiber supplier)	0 %
Friedman Brothers (retail store)	0 %
Georgia-Pacific (joint compound)	15 %
Henry Company LLC (roof cement)	0 %
Hill Brothers Chemical Co. (Magnesite decking)	0 %
Honeywell (Bendix brakes)	0 %
John K. Bice (fiber supplier)	0 %
Johns-Manville (fiber supplier)	5 %
Kaiser Gypsum (joint compound)	15 %
Kelly/Moore (Paco Quik-Set joint compound)	5 %
Mead Clark (retail store)	0 %
National Gypsum (joint compound)	5 %
Pacific Asbestos (fiber supplier)	0 %
Paul Wood Co. (fiber supplier)	0 %
Philip Carey (fiber supplier)	0 %
PPG Architectural Finishes (Boysen retail store)	0 %
Parex (LaHabra stucco)	0 %
Rich-Tex (joint compound)	25 %
Thompson-Hayward (fiber supplier)	0 %
U.S. Gypsum (joint compound)	5 %
Union Carbide (fiber supplier)	0 %
Wedbestos Chemical Co. (fiber supplier)	0 %
W.W. Henry (roof cement)	0 %
Yardbirds (retail store)	0 %
Others (Identify):	
_____	____ %
_____	____ %
_____	____ %
_____	____ %
TOTAL:	100 %

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Answer the next question only as to defendant(s) for which you answered "Yes" to Questions 4, 9, 11, 13, 18, 23, or 27.

34. Did plaintiffs prove by clear and convincing evidence that an officer, director, or managing agent acted with malice, oppression, or fraud in the conduct upon which you based your finding of liability?

Colgate-Palmolive, as successor-in-interest to Mennen (Mennen Shave Talc)	Yes__	No__
Elementis, as successor-in-interest to Harrisons & Crosfield (Pacific) (fiber supplier)	Yes__	No__
Union Carbide (fiber supplier)	Yes__	No__

Please have the presiding juror sign and date this form and return it to the Court Attendant.

Dated 10-24-2016

Presiding Juror

DKS RHM KPA JDP