

F I L E D

Superior Court of California
County of San Francisco

MAR 14 2024

CLERK OF THE COURT

BY: Isabelle A. Howard
Deputy Clerk

SUPERIOR COURT OF CALIFORNIA
COUNTY OF SAN FRANCISCO

LISA CASTILLO, as Successor-in-interest to
and as Wrongful Death Heir of ABRAHAM
CASTILLO, Deceased, and ABRAHAM
CASTILLO, JR., OSCAR CASTILLO, as
Wrongful Death Heirs of Abraham Castillo,
Deceased,

Plaintiffs,

v.

JOHN CRANE INC.,

Defendant.

Case No. CGC-16-276540

SPECIAL VERDICT

We, the jury, find the following Special Verdict on the questions submitted to us:

GOVERNMENT CONTRACTOR

1. Did the U.S. Navy contract with John Crane Inc. to provide asbestos-containing packing?

ANSWER: Yes X No _____

If you answered yes, then answer the next question.

If you answered no, then skip to Question No. 8.

1 2. Did the U.S. Navy approve reasonably precise specifications for the John Crane Inc. asbestos-
2 containing packing?

3 ANSWER: Yes No

4 *If you answered yes, then answer the next question.*

5 *If you answered no, then skip to Question No. 4.*

6
7 3. Did John Crane Inc.'s asbestos-containing packing conform to those specifications?

8 ANSWER: Yes No

9 *Answer the next question.*

10
11 **GOVERNMENT CONTRACTOR – WARNINGS**

12 4. Did the United States impose reasonably precise specifications on John Crane Inc. regarding
13 the provision of warnings for the asbestos-containing products?

14 ANSWER: Yes No

15 *If you answered yes, then answer the next question.*

16 *If you answered no, but you answered yes to Question 3, skip to Question 6.*

17 *If you answered no, and you did not answer yes to Question 3, skip to Question 8.*

18
19 5. Did John Crane Inc.'s asbestos-containing packing conform to those specifications?

20 ANSWER: Yes No

21 *If you answered yes to Question 3 and/or Question 5, answer the next question.*

22 *If you answered no to Question 5, and you did not answer yes to Question 3, skip to Question 8.*

1 9. Was Abraham Castillo's use of John Crane Inc.'s asbestos-containing packing a substantial
2 factor in causing Abraham Castillo's mesothelioma?

3 ANSWER: Yes _____ No _____

4 *If you did not answer yes to Question 5, go to the next question.*

5 *If you answered yes to Question 5, and you answered no to Question 6, and answered yes to*
6 *Question 9, got to Question 22.*

7 *If you answered yes to Question 5, and you answered no to Question 6, and you answered no to*
8 *Question 9, do not answer any more questions. Have the presiding juror sign and date the Special*
9 *Verdict.*

10
11 **PRODUCT DESIGN – FAILURE TO WARN**

12 10. Did John Crane Inc.'s asbestos-containing packing have potential risks that were known or
13 knowable in light of the scientific and medical knowledge that was generally accepted in the scientific
14 community at the time it was sold?

15 ANSWER: Yes X No _____

16 *If you answered yes, then answer the next question.*

17 *If you answered no, then skip to Question 15.*

18
19 11. Did the potential risks present a substantial danger when the asbestos-containing packing
20 was used in an intended or reasonably foreseeable way?

21 ANSWER: Yes X No _____

22 *If you answered yes, then answer the next question.*

23 *If you answered no, then skip to Question 15.*

24
25 12. Would ordinary consumers have recognized the potential risks?

26 ANSWER: Yes _____ No X

27 *If you answered no, then answer the next question.*

28 *If you answered yes, then skip to Question 15.*

1 13. Did John Crane Inc. fail to adequately warn or instruct of the potential risks?

2 ANSWER: Yes No

3 *If you answered yes, then answer the next question.*

4 *If you answered no, then skip to Question 15.*

5
6 14. Was the lack of sufficient instructions or warnings a substantial factor in causing Abraham
7 Castillo's mesothelioma?

8 ANSWER: Yes No

9 *Answer the next question.*

10
11 **NEGLIGENT FAILURE TO WARN**

12 15. Did John Crane Inc. know or should it reasonably have known that its asbestos-containing
13 packing was dangerous or was likely to be dangerous when used in a reasonably foreseeable manner?

14 ANSWER: Yes No

15 *If you answered yes, then answer the next question.*

16 *If you answered no, and you answered Question 8 (regardless of your answer to Question 8), go*
17 *to Question 20.*

18 *If you answered no, and you did not answer Question 8, but you answered yes to Question No.*
19 *14, go to Question 22.*

20 *If you answered no, and you answered yes to Question 3, and you answered no to Question 6,*
21 *and you did not answer yes to Question 14, do not answer any more questions. Have the presiding*
22 *juror sign and date the Special Verdict.*

1 16. Did John Crane Inc. know or should it reasonably have known that users would not realize
2 the danger?

3 ANSWER: Yes No _____

4 *If you answered yes, then answer the next question.*

5 *If you answered no, and you answered Question 8 (regardless of your answer to Question 8), go*
6 *to Question 20.*

7 *If you answered no, and you did not answer Question 8, but you answered yes to Question No.*
8 *14, got to Question 22.*

9 *If you answered no, and you answered yes to Question 3, and you answered no to Question 6,*
10 *and you did not answer yes to Question 14, do not answer any more questions. Have the presiding*
11 *juror sign and date the Special Verdict.*

12
13 17. Did John Crane Inc. negligently fail to warn of the danger or instruct on the safe use of its
14 asbestos-containing packing?

15 ANSWER: Yes No _____

16 *If you answered yes, then answer the next question.*

17 *If you answered no, and you answered Question 8 (regardless of your answer to Question 8), go*
18 *to Question 20.*

19 *If you answered no, and you did not answer Question 8, but you answered yes to Question No.*
20 *14, got to Question 22.*

21 *If you answered no, and you answered yes to Question 3, and you answered no to Question 6,*
22 *and you did not answer yes to Question 14, do not answer any more questions. Have the presiding*
23 *juror sign and date the Special Verdict.*

1 18. Would a reasonable manufacturer, distributor or seller under the same or similar
2 circumstances have warned of the danger or instructed on the safe use of the product?

3 ANSWER: Yes No

4 *If you answered yes, then answer the next question.*

5 *If you answered no, and you answered Question 8 (regardless of your answer to Question 8), go*
6 *to Question 20.*

7 *If you answered no, and you did not answer Question 8, but you answered yes to Question No.*
8 *14, got to Question 22.*

9 *If you answered no, and you answered yes to Question 3, and you answered no to Question 6,*
10 *and you did not answer yes to Question 14, do not answer any more questions. Have the presiding*
11 *juror sign and date the Special Verdict.*

12
13 19. Was John Crane Inc.'s failure to warn or instruct a substantial factor in causing Abraham
14 Castillo's mesothelioma?

15 ANSWER: Yes No

16 *If you answered Question 8 (regardless of your answer to Question 8), go to Question 20.*

17 *If you did not answer Question 8, but you answered yes to any of Question 14 or 19, go to*
18 *Question No. 22.*

19 *If you answered no to Question 19, and you answered yes to Question 3, and you answered no to*
20 *Question 6, and you did not answer yes to Questions 14, do not answer any more questions. Have the*
21 *presiding juror sign and date the Special Verdict.*

1 **NEGLIGENCE**

2 20. Was John Crane Inc. negligent in designing, manufacturing, or supplying the asbestos-
3 containing packing?

4 ANSWER: Yes _____ No _____

5 *If you answer yes, then answer the next question.*

6 *If you answer no, and you answered yes to any of Question 9, 14, or 19, then answer go to*
7 *Question 22.*

8 *If you answer no, and you did not answer yes to any of Questions 9, 14, or 19, do not answer any*
9 *more questions. Have the presiding juror sign and date the Special Verdict.*

10
11 21. Was John Crane Inc.'s negligence a substantial factor in causing Abraham Castillo's
12 mesothelioma?

13 ANSWER: Yes _____ No _____

14 *If you answer yes, then answer the next question.*

15 *If you answer no, and you answered yes to any of Question 9, 14, or 19, then go to Question 22.*

16 *If you answer no, and you did not answer yes to any of Questions 9, 14, or 19, do not answer any*
17 *more questions. Have the presiding juror sign and date the Special Verdict.*

18
19 **DAMAGES**

20 If you answered yes to 9, 14, 19 or 21, answer the next question.

21 If you did not answer yes to any of 9, 14, 19, or 21 have the presiding juror sign and date the
22 verdict form.

23
24 22. What are the Plaintiffs' damages?

25 ANSWER:

26 Economic Damages: \$ 1,349,272.04

27 Total Non-Economic Damages: \$ _____

28 *Answer the next question.*

1 **APPORTIONMENT**

2 23. If 100% represents the total fault that was the cause of Plaintiffs' damages, what percentage
3 of this 100% is the fault of the following:

4	John Crane Inc.	_____ %
5	U.S. Navy	_____ %
6	All Others	_____ %
7	TOTAL	100%

8 *Answer the next question.*

9
10
11 **MALICE OR OPPRESSION**

12 24. Do you find by clear and convincing evidence that John Crane Inc. acted with malice or
13 oppression as defined in the jury instructions?

14 ANSWER: Yes _____ No _____

15 *If you answer yes, then answer the next question.*

16 *If you answer no, have the Presiding Juror sign and date the verdict form.*

17
18 25. Was the conduct constituting malice or oppression committed, authorized, or ratified by one
19 or more officers, directors, or managing agents of John Crane Inc. acting on behalf of John Crane Inc.?

20 ANSWER: Yes _____ No _____

21
22 *Please have the Presiding Juror date and sign the verdict form.*

23 Dated: 3/14/24

24 
Presiding Juror

25 *After this verdict has been signed and dated, notify the bailiff that you are ready to present your*
26 *verdict in the courtroom.*

Δ John Crane
JHC

II Castillo
RJS