

FILED
San Francisco County Superior Court
DEC 11 2006
GORDON PARK-LI, Clerk
BY: *[Signature]*
Deputy

SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF SAN FRANCISCO
COURT OF UNLIMITED JURISDICTION

KENNETH C. REID,

Plaintiff,

vs.

THORPE INSULATION COMPANY,

Defendant.

)Case No. 439613

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)**JUDGMENT ON SPECIAL VERDICT**

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This action came on regularly for trial on August 14, 2006, in Department 613, of the above-entitled court, the Honorable Ernest H. Goldsmith presiding, plaintiff Kenneth C. Reid, represented by Stephen J. Healy, Esq.; defendant Thorpe Insulation Company represented by Scott Wood, Esq.

A jury of twelve persons and two alternates was duly impaneled and sworn, opening statements by counsel for plaintiff and defendant were given, and witnesses were sworn and gave testimony. The jury was duly instructed by the court and heard closing arguments by counsel on August 23, 2006, and the case was submitted to the jury. The jury deliberated, and thereafter returned to court on August 23, 2006, with its verdict consisting of the special issues submitted to the jury and the answers given thereto by the jury, which said verdict was in the following words and figures.

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

QUESTION NO. 1:

Was Thorpe Insulation Company negligent?

ANSWER: X Yes No

If you answered yes to question 1, then answer question 2. If you answered no to question 1, stop here, answer no further questions, and have the presiding juror sign and date this form.

QUESTION NO. 2:

If a "yes" answer was reached in question 1, answer the following:

Was Thorpe Insulation Company's negligence a substantial factor in causing harm to Kenneth Reid?

ANSWER: X Yes No

If you answered yes to question 2, then answer question 3. If you answered no to question 2, stop here, answer no further questions, and have the presiding juror sign and date this form.

QUESTION NO. 3:

What are Kenneth Reid's total damages? Do not reduce the damages based on the fault, if any, of Kenneth Reid or others.

ANSWER:

- | | | |
|----|--|-------------------|
| a. | Past economic loss, including
[lost medical expenses/lost household services:] | \$ <u>77,500</u> |
| b. | Future economic loss, including [lost
earnings from retirement/ loss of household services/lost
medical expenses:] | \$ <u>701,000</u> |
| c. | Past noneconomic loss, including [physical
pain/mental suffering:] | \$ <u>500,000</u> |
| d. | Future noneconomic loss, including [physical
pain/mental suffering:] | |

\$ 1,500,000

TOTAL \$ 2,778,500

If Kenneth Reid has proven any damages, then answer question 4. If Kenneth Reid has not proven any damages, then stop here, answer no further questions, and have the presiding juror sign and date this form.

QUESTION NO. 3:

What percentage of responsibility for Kenneth Reid's harm do you assign to the following?

ANSWER:	To Thorpe Insulation Co.:	<u>25%</u>
	To All Others	<u>75%</u>
	TOTAL	<u>100%</u>

Dated: August 23, 2006

(Signature)
JURY FOREPERSON

It appears by reason of the special verdict that plaintiff KENNETH C. REID is entitled to judgment against defendant THORPE INSULATION COMPANY in the amount of \$500,000 (25% of \$2,000,000.)

It also appears by reason of the special verdict that plaintiff KENNETH C. REID is entitled to \$778,500 economic damages (100% x \$778,500 total economic damages) against defendant THORPE INSULATION COMPANY, less credits for pre-verdict settlements in an amount to be determined by the court. In the event that there are future settlements in this matter, the court and counsel shall be so advised within ten days of such settlements being executed and defendant THORPE INSULATION COMPANY shall be then entitled to further credit for such

settlements in an amount to be determined by the court.

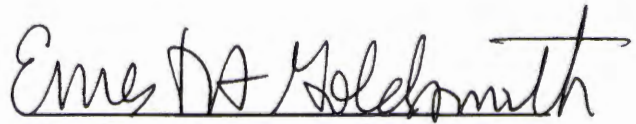
Whether plaintiff KENNETH C. REID is entitled to pre-judgment interest at ten percent per annum, pursuant to Code of Civil Procedure sections 998, 1033.5 and Civil Code section 3291, shall be determined at the hearing to tax costs and disbursements.

NOW, THEREFORE, IT IS ORDERED, ADJUDGED, AND DECREED:

That Plaintiff KENNETH C. REID have judgment for non-economic damages in the amount of \$500,000 and economic damages in the amount of \$778,500 for a total judgment of \$1,278,500 against defendant THORPE INSULATION COMPANY, less credits for pre-verdict settlements in the amount to be determined by the court.

That plaintiff KENNETH C. REID recover from defendant THORPE INSULATION COMPANY costs and disbursements in the amount of \$ _____ as determined by the court.

Dated: ~~November~~ ^{December} 11, 2006


The Honorable Ernest A. Goldsmith
Judge of the Superior Court

PAUL, HANLEY & HARLEY, LLP

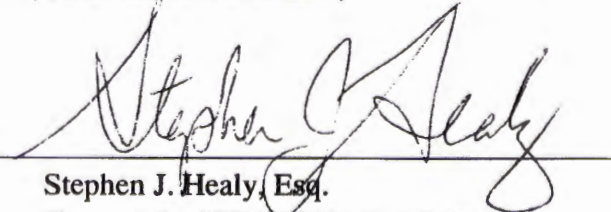
By: 
Stephen J. Healy, Esq.
Counsel for KENNETH C. REID

EXHIBIT "A"

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If you answered yes to question 2, then answer question 3. If you answered no to question 2, stop here, answer no further questions, and have the presiding juror sign and date this form.

3. What are Kenneth Reid's total damages? Do not reduce the damages based on the fault, if any, of Kenneth Reid or others.

- a. Past economic loss, including [lost medical expenses/lost household services:] \$ 77,500
 - b. Future economic loss, including [lost earnings from retirement/ loss of household services/lost medical expenses:] \$ 701,000
 - c. Past noneconomic loss, including [physical pain/mental suffering:] \$ 500,000
 - d. Future noneconomic loss, including [physical pain/mental suffering:] \$ 1,500,000
- TOTAL \$ 2,778,500

If Kenneth Reid has proven any damages, then answer question 4. If Kenneth Reid has not proven any damages, then stop here, answer no further questions, and have the presiding juror sign and date this form.

4. What percentage of responsibility for Kenneth Reid's harm do you assign to the following?

- To Thorpe Insulation Co.: 25%
- To All Others 75%
- TOTAL 100%

Signed: [Signature]
Presiding Juror

Dated: 8/23/2006

[After it has been signed/After all verdict forms have been signed], deliver this verdict form to the [clerk/bailiff/judge].