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FILED
Superior Court of California
County of San Francisco

SEP 02 2008

GORDON PARK-LI, Clerk
BY: Celia Contreras
Deputy Clerk

SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF SAN FRANCISCO

BEVERLY K. ROGERS, et al.,
Plaintiffs,

vs.

JOHN CRANE INC.,
Defendants.

Case No. 430089

SPECIAL VERDICT

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

Question No. 1: Was David W. Rogers exposed to asbestos from valve packing products manufactured, distributed or sold by John Crane Inc.?

Answer "yes" or "no."

Yes

No

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If you answer "no" to Question No. 1, sign and date this verdict.

If you answer "yes" to Question No. 1, then answer the next question.

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Question No. 2: Were the valve packing products, at the time of use, substantially the same as when they left John Crane's possession?

Answer "yes" or "no."

Yes	No
<u>12</u>	<u>0</u>

If you answer "no" to Question No. 2, then answer Question No. 7.

If you answer "yes" to Question No. 2, then answer the next question.

Question No. 3: Did the valve packing products fail to perform as safely as an ordinary consumer would have expected at the time of use?

Answer "yes" or "no."

Yes	No
<u>10</u>	<u>2</u>

If you answer "no" to Question No. 3, then answer Question No. 7.

If you answer "yes" to Question No. 3, then answer the next question.

Question No. 4: Were the valve packing products used in a way that was reasonably foreseeable to John Crane?

Answer "yes" or "no."

Yes	No
<u>12</u>	<u>0</u>

If you answer "no" to Question No. 4, then answer Question No. 7.

If you answer "yes" to Question No. 4, then answer the next question.

Question No. 5: Were plaintiffs harmed?

Answer "yes" or "no."

Yes	No
<u>12</u>	<u>0</u>

If you answer "no" to Question No. 5, then answer Question No. 7.

If you answer "yes" to Question No. 5, then answer the next question.

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1 **Question No. 6:** Was the valve packing's failure to perform safely a
substantial factor in causing plaintiffs' harm?

2 Answer "yes" or "no."

3 Yes No
4 11 1

5 Answer the next question.

6 **Question No. 7:** Did John Crane manufacture, distribute or sell
7 asbestos-containing valve packing?

8 Answer "yes" or "no."

9 Yes No
10 12 0

11 If you answer "no" to Question No. 7, and answered "no" to Question
12 No. 6 or didn't answer Question No. 6, sign and date this verdict.

13 If you answer "no" to Question No. 7, and answered "yes" to Question
14 No. 6, then answer Question No. 15.

15 If you answer "yes" to Question No. 7, then answer the next question.

16 **Question No. 8:** Did the valve packing have potential risks that were
known or knowable at the time of manufacture?

17 Answer "yes" or "no."

18 Yes No
19 2 10

20 If you answer "no" to Question No. 8, and answered "no" to Question
21 No. 6 or didn't answer Question No. 6, sign and date this verdict.

22 If you answer "no" to Question No. 8, and answered "yes" to Question
23 No. 6, then answer Question No. 15.

24 If you answer "yes" to Question No. 8, then answer the next question.

25 **Question No. 9:** Did the potential risks present a substantial danger to
26 the users of valve packing?

27 Answer "yes" or "no".

28 Yes No

If you answer "no" to Question No. 9, and answered "no" to Question
No. 6 or didn't answer Question No. 6, sign and date this verdict.

1 If you answer "no" to Question No. 9, and answered "yes" to Question
No. 6, then answer Question No. 15.

2 If you answer "yes" to Question No. 9, then answer the next question.

3 **Question No. 10:** Would ordinary consumers of valve packing have
4 failed to recognize the potential risks?

5 Answer "yes" or "no."

6 Yes No

7 Answer: ____ ____

8 If you answer "no" to Question No. 10, and answered "no" to Question
No. 6 or didn't answer Question No. 6, sign and date this verdict.

9 If you answer "no" to Question No. 10, and answered "yes" to Question
10 No. 6, then answer Question No. 15.

11 If you answer "yes" to Question No. 10, then answer the next question.

12 **Question No. 11:** Did John Crane fail to adequately warn of the
potential risks?

13 Answer "yes" or "no."

14 Yes No

15 Answer: ____ ____

16 If you answer "no" to Question No. 11, and answered "no" to Question
17 No. 6 or didn't answer Question No. 6, sign and date this verdict.

18 If you answer "no" to Question No. 11, and answered "yes" to Question
No. 6, then answer Question No. 15.

19 If you answer "yes" to Question No. 11, then answer the next question.

20 **Question No. 12:** Was the valve packing used in a way that was
21 reasonably foreseeable to John Crane?

22 Answer "yes" or "no."

23 Yes No

24 Answer: ____ ____

25 If you answer "no" to Question No. 12, and answered "no" to Question
No. 6 or didn't answer Question No. 6, sign and date this verdict.

26 If you answer "no" to Question No. 12, and answered "yes" to Question
27 No. 6, then answer Question No. 15.

28 If you answer "yes" to Question No. 12, then answer the next question.

Question No. 13: Were the plaintiffs harmed?

Answer "yes" or "no."

Yes No

Answer: ___ ___

If you answer "no" to Question No. 13, and answered "no" to Question No. 6 or didn't answer Question No. 6, sign and date this verdict.

If you answer "no" to Question No. 13, and answered "yes" to Question No. 6, then answer Question No. 15.

If you answer "yes" to Question No. 13, then answer the next question.

Question No. 14: Was the lack of sufficient warnings a substantial factor causing the plaintiffs' harm?

Answer "yes" or "no."

Yes No

Answer: ___ ___

If you answer "no" to Question No. 14, and answered "no" to Question No. 6 or didn't answer Question No. 6, sign and date this verdict.

If you answer "no" to Question No. 14, and answered "yes" to Question No. 6, then answer the next question.

If you answer "yes" to Question No. 14, then answer the next question.

Question No. 15: Without taking into consideration the reduction of damages due to the comparative fault of David W. Rogers and/or others, if any, what damages (apart from those stipulated to, as reflected below) do you find to be the AMOUNT of damages to plaintiffs, if any?

Answer:

- (a) Medical Expenses \$ 10,000
- (b) Funeral & Burial Expenses \$ 2,000
- (c) Loss of Financial Support (Past and Future) \$ 346,225
- (d) Loss of Household Services (Past and Future) \$ 100,000
- (e) Non-Economic Damages \$ 1,000,000

Answer the next question.

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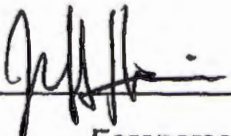
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1 **Question No. 16:** Assuming that 100% represents the total fault for
2 plaintiffs' harm, what percentage of this 100% is attributable to the fault, if any, of the
3 following?

3	To DAVID W. ROGERS	<u>0</u>	%
4	To U.S. COAST GUARD	<u>5</u>	%
5	To SAN DIEGO GAS & ELECTRIC	<u>25</u>	%
6	To JOHN CRANE INC.	<u>1</u>	%
7	To THERMAL INSULATION		
8	MANUFACTURERS	<u>65</u>	%
9	To ALL OTHERS	<u>4</u>	%
10			
11	TOTAL		100%

12 Please sign and date this verdict.

13 DATED: Sept. 2, 2008

14 
15 _____
16 Foreperson