

and after being duly instructed by the court, the jury deliberated and thereafter 1 returned into court with its verdict on June 19, 2015 as follows: 2 3 <u>STRICT LIABILITY – DESIGN DEFECT</u> 4 5 **Question No. 1**: Did the heater fail to perform as safely as an ordinary 6 consumer would have expected when used or misused in an intended or 7 reasonably foreseeable way? 8 9 Answer: Yes. 10 **Question No. 2**: Did the risk of the heater's design outweigh the benefits 11 of the design? 12 Answer: No. 13 14 Question No. 3: Was the product's design a substantial factor in causing 15 harm to Plaintiffs? 16 Answer: No. 17 18 **STRICT LIABILITY – FAILURE TO WARN** 19 20 **Question No. 4**: Did the heater have potential risks that were known at the 21 time of manufacture? 22 Answer: Yes. 23 24 Question No. 5: Did the potential risks present a substantial danger to 25 persons using or misusing the heater in an intended or reasonably foreseeable 26 27 way? Answer: Yes. 28 Judgment on Special Verdict - Page 2

1	Orestion No. (. Westlinger commune act measuring the meterical
1	Question No. 6: Would ordinary consumers not recognize the potential
2	risks?
3	Answer: <u>Yes</u> .
4	Question No. 7: Did Sunhaam fail to adequately warm of the notantial risks?
5	Question No. 7 : Did Sunbeam fail to adequately warn of the potential risks? Answer: <u>Yes</u> .
6 7	Allswei. <u>105</u> .
8	Question No. 8: Was the lack of sufficient warnings a substantial factor
9	in causing harm to plaintiff?
10	Answer: <u>Yes</u> .
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12	NEGLIGENT DESIGN
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14	Question No. 9: Was Sunbeam negligent in designing the heater?
15	Answer: <u>Yes</u> .
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17	Question No. 10: Was Sunbeam's negligence a substantial factor in causing
18	harm to plaintiffs?
19	Answer: <u>Yes</u> .
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21	NEGLIGENT FAILURE TO WARN
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23	Question No. 11: Did Sunbeam know or should it reasonably have known
24	that the heater was dangerous or was likely to be dangerous when used or
25	misused in a reasonably foreseeable manner?
26	Answer: <u>Yes</u> .
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Question No. 12: Did Sunbeam know or should it reasonably have known 1 that users would not realize the danger? 2 3 Answer: Yes. 4 Question No. 13: Did Sunbeam fail to adequately warn of the danger of the 5 heater? 6 Answer: Yes. 7 8 9 Question No. 14: Would a reasonable manufacturer under the same or similar circumstances have warned of the danger of the heater? 10 11 Answer: <u>Yes</u>. 12 Question No. 15: Was Sunbeam's failure to warn a substantial factor in 13 causing harm to Plaintiffs? 14 Answer: Yes. 15 16 Question No. 16: What are the wrongful death damages for the Shinedling 17 family's loss of Amy Shinedling's love, companionship, comfort, care, assistance, 18 protection, affection society, moral support, and loss of training and guidance: 19 Answer: 20 Total: \$13,650,000 21 Kenneth Aaron Shinedling's Portion: 22 Past wrongful death damages: \$300,000 23 Future wrongful death damages: 24 <u>\$2,775,000</u> 25 Addison Leilani Shinedling's Portion: 26 Past wrongful death damages: \$300,000 27 Future wrongful death damages: 28 \$3,225,000

1	Alexia Celeste Shinedling's Portion:			
2	Past wrongful death damages: <u>\$300,000</u>			
3	Future wrongful death damages: <u>\$3,225,000</u>			
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5	Ava Aren Shinedling's Portion:			
6	Past wrongful death damages: <u>\$300,000</u>			
7	Future wrongful death damages: <u>\$3,225,000</u>			
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9	Question No. 17: What are the emotional distress damages of Plaintiff			
10	KENNETH AARON SHINEDLING? Do not reduce the damages based on the			
11	fault, if any, of KENNETH AARON SHINEDLING.			
12	Answer:			
13	Past Direct Injury Emotional Distress Damages: <u>\$80,000</u>			
14	Future Direct Injury Emotional Distress Damages: <u>\$740,000</u>			
15	Past Bystander Emotional Distress Damages: <u>\$600,000</u>			
16	Future Bystander Emotional Distress Damages: <u>\$5,500,000</u>			
17				
18	Question No. 18: What are the total damages of Plaintiff ADDISON			
19	LEILANI SHINEDLING? Do not reduce the damages based on the fault, if any,			
20	of KENNETH AARON SHINEDLING.			
21	Answer:			
22	Past Direct Injury Emotional Distress Damages: <u>\$80,000</u>			
23	Future Direct Injury Emotional Distress Damages: <u>\$1,340,000</u>			
24	Past Bystander Emotional Distress Damages: <u>\$600,000</u>			
25	Future Bystander Emotional Distress Damages: <u>\$10,050,000</u>			
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 CELESTE SHINEDLING? Do not reduce the damages based on the fault, of KENNETH AARON SHINEDLING. Answer: Past Direct Injury Emotional Distress Damages: \$80,000 Future Direct Injury Emotional Distress Damages: \$1,400,00 Past Bystander Emotional Distress Damages: \$600,000 Future Bystander Emotional Distress Damages: \$10,500,000 9 			
3 of KENNETH AARON SHINEDLING. 4 Answer: 5 Past Direct Injury Emotional Distress Damages: \$80,000 6 Future Direct Injury Emotional Distress Damages: \$1,400,00 7 Past Bystander Emotional Distress Damages: \$600,000 8 Future Bystander Emotional Distress Damages: \$10,500,000 9 9 10 10	Question No. 19: What are the total damages of Plaintiff ALEXIA		
4Answer:5Past Direct Injury Emotional Distress Damages:\$80,0006Future Direct Injury Emotional Distress Damages:\$1,400,007Past Bystander Emotional Distress Damages:\$600,0008Future Bystander Emotional Distress Damages:\$10,500,0009	CELESTE SHINEDLING? Do not reduce the damages based on the fault, if any,		
5Past Direct Injury Emotional Distress Damages:\$80,0006Future Direct Injury Emotional Distress Damages:\$1,400,007Past Bystander Emotional Distress Damages:\$600,0008Future Bystander Emotional Distress Damages:\$10,500,009			
 Future Direct Injury Emotional Distress Damages: \$1,400,00 Past Bystander Emotional Distress Damages: \$600,000 Future Bystander Emotional Distress Damages: \$10,500,000 			
 Past Bystander Emotional Distress Damages: \$600,000 Future Bystander Emotional Distress Damages: \$10,500,0 			
8 Future Bystander Emotional Distress Damages: <u>\$10,500,0</u> 9	<u>)0</u>		
9			
	000		
10 Ouestion No. 20 : What are the total damages of Plaintiff AVA			
Question No. 20: What are the total damages of Plaintiff AVA AREN			
SHINEDLING? Do not reduce the damages based on the fault, if any, of			
12 KENNETH AARON SHINEDLING.			
13 Answer:			
14Past Direct Injury Emotional Distress Damages:\$80,000			
15 Future Direct Injury Emotional Distress Damages: <u>\$1,500,00</u>	<u>)0</u>		
16Past Bystander Emotional Distress Damages:\$600,000			
17Future Bystander Emotional Distress Damages:\$11,250,0	000		
18			
Question No. 21: Was KENNETH AARON SHINEDLING negligent?			
20 Answer: <u>Yes</u>			
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22 Question No. 22: Was KENNETH AARON SHINEDLING's neglige	nce a		
23 substantial factor in causing Plaintiffs' harm?			
24 Answer: <u>Yes</u>			
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Question No. 23: What percentage of responsibility for Plaintiffs' harm do
 you assign to:

Sunbeam Products, Inc.	80%
Kenneth Shinedling	20%
TOTAL	100 %

7 It appearing that by reason of those special verdicts, Plaintiffs are entitled
8 to judgment against Defendant SUNBEAM PRODUCTS, INC. for damages,
9 interest and for costs as follows:

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Based on the jury's verdict, IT IS ORDERED AND ADJUDGED that judgment shall be entered in favor of Plaintiff KENNETH AARON SHINEDLING and against Defendant SUNBEAM PRODUCTS, INC. in the sum of seven million nine hundred and ninety six thousand dollars and zero cents (\$7,996,000.00) with interest thereon at the legal rate until paid together with costs and disbursements in the sum of \$_____.

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Based on the jury's verdict, IT IS ORDERED AND ADJUDGED that judgment shall be entered in favor of Plaintiff ADDISON LEILANI SHINEDLING and against Defendant SUNBEAM PRODUCTS, INC. in the sum of twelve million four hundred and seventy six thousand dollars and zero cents (\$12,476,000.00) with interest thereon at the legal rate until paid together with costs and disbursements in the sum of \$_____.

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Based on the jury's verdict, IT IS ORDERED AND ADJUDGED that judgment shall be entered in favor of Plaintiff ALEXIA CELESTE SHINEDLING and against Defendant SUNBEAM PRODUCTS, INC. in the sum of twelve million eight hundred and eighty four thousand dollars and zero cents (\$12,884,000.00) with interest thereon at the legal rate until paid together with costs and disbursements in the sum of \$_____.

Based on the jury's verdict, IT IS ORDERED AND ADJUDGED that
judgment shall be entered in favor of Plaintiff AVA AREN SHINEDLING and
against Defendant SUNBEAM PRODUCTS, INC. in the sum of thirteen million
five hundred and sixty four thousand dollars and zero cents (\$13,564,000.00)
with interest thereon at the legal rate until paid together with costs and
disbursements in the sum of \$_____.

- 1.6 DATED: June 30, 2015

JUDGE CORMAC J. CARNEY

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