

APR 24 2023

DAVID H. YAMASAKI, Clerk of the Court

BY: D. VELASQUEZ, DEPUTY

**SUPERIOR COURT OF THE STATE OF CALIFORNIA  
FOR THE COUNTY OF ORANGE**

THOMAS JOSEPH SOULLIERE,

Plaintiff,

vs.

SUZUKI MOTOR CORPORATION

Defendants.

No.: 30-2015-00790644-CU-PL-CJC  
[Unlimited Jurisdiction]

**VERDICT FORM**

**STRICT LIABILITY – DESIGN DEFECT**

**Question No. 1:** Did the front brake of Joey Soulliere’s motorcycle fail to perform as safely as an ordinary consumer would have expected it to perform when used or misused in an intended or reasonably foreseeable way?

Answer “yes” or “no”. Answer yes.

If your answer to Question 1 is “yes,” then answer Question 2. If your answer to Question 1 is “no,” then answer Question 3.





1 **Question No. 7:** Would ordinary consumers have recognized the  
2 potential risks?

3 Answer "yes" or "no". Answer NO.

4  
5 If your answer to Question 7 is "no", then answer Question 8. If you  
6 answered "yes" to Question 7, then answer Question 10.

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8 **Question No. 8:** Did Suzuki Motor Corporation fail to adequately warn of  
9 the potential risks?

10 Answer "yes" or "no". Answer yes.

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12 If your answer to Question 8 is "yes", then answer Question 9. If you answered  
13 "no" to Question 8, then answer Question 10.

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16 **Question No. 9:** Was the lack of sufficient warnings a substantial factor  
17 in causing harm to Joey Soulliere?

18 Answer "yes" or "no". Answer yes.

19 Answer Question 10.

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1 **NEGLIGENT RECALL OR RETROFIT**

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4 **Question No. 10:** Did Suzuki Motor Corporation know or should Suzuki

5 Motor Corporation have reasonably known that the GSXR motorcycle was

6 dangerous or was likely to be dangerous when used in a reasonably foreseeable

7 manner?

8

9 Answer "yes" or "no". Answer yes.

10 If your answer to Question 10 is "yes", then answer Question 11. If you

11 answered "no" to Question 10, then answer Question 16 if you answered "yes" to

12 Question 2 or Question 4 or Question 9. If you answered "no" to Question 10 and

13 "no" to Question 1 or 2 and "no" Question 3 or 4 and "no" to Question 5 or 6 or 7

14 or 8 or 9, STOP.

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18 **Question No. 11:** Did Suzuki Motor Corporation become aware of this

19 defect after the GSXR motorcycle was sold?

20

21 Answer "yes" or "no". Answer yes.

22 If your answer to Question 11 is "yes", then answer Question 12. If you

23 answered "no" to Question 11, then answer Question 16 if you answered "yes" to

24 Question 2 or Question 4 or Question 9. If you answered "no" to Question 11 and

25 "no" to Question 1 or 2 and "no" Question 3 or 4 and "no" to Question 5 or 6 or 7

26 or 8 or 9, STOP.

1           **Question No. 12:** Did Suzuki Motor Corporation fail to recall and/or  
2 retrofit, or warn of the danger of the GSXR motorcycle?

3  
4           Answer "yes" or "no". Answer yes.

5           If your answer to Question 12 is "yes", then answer Question 13. If you  
6 answered "no" to Question 12, then answer Question 16 if you answered "yes" to  
7 Question 2 or Question 4 or Question 9. If you answered "no" to Question 12 and  
8 "no" to Question 1 or 2 and "no" to Question 3 or 4 and "no" to Question 5 or 6 or  
9 7 or 8 or 9, STOP.

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12           **Question No. 13:** Would a reasonable manufacturer under the same or  
13 similar circumstances have recalled and/or retrofitted the GSXR motorcycle?

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15           Answer "yes" or "no". Answer yes.

16           If your answer to Question 13 is "yes", then answer Question 14. If you answered  
17 "no" to Question 13, then answer Question 16 if you answered "yes" to Question 2  
18 or Question 4 or Question 9. If you answered "no" to Question 13 and "no" to  
19 Question 1 or 2 and "no" to Question 3 or 4 and "no" to Question 5 or 6 or 7 or 8  
20 or 9, STOP.

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1           **Question No. 14:** Was Joey Soulliere harmed?

2                   Answer "yes" or "no". Answer yes.

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4   If your answer to Question 14 is "yes", then answer Question 15. If you answered  
5 "no" to Question 14, then answer Question 16 if you answered "yes" to Question 2  
6 or Question 4 or Question 9. If you answered "no" to Question 14 and "no" to  
7 Question 1 or 2 and "no" to Question 3 or 4 and "no" to Question 5 or 6 or 7 or 8  
8 or 9, STOP.

10  
11           **Question No. 15:** Was Suzuki Motor Corporation's failure to recall  
12 and/or retrofit the GSXR motorcycle a substantial factor in causing harm to Joey  
13 Soulliere?  
14

15                   Answer "yes" or "no". Answer yes.

16  
17   If your answer to Question 15 is "yes", then answer Question 16. If you answered  
18 "no" to Question 15, then answer Question 16 if you answered "yes" to Question 2  
19 or Question 4 or Question 9. If you answered "no" to Question 15 and "no" to  
20 Question 1 or 2 and "no" to Question 3 or 4 and "no" to Question 5 or 6 or 7 or 8  
21 or 9, STOP.

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1 **Question No. 16:** What are Joey Soulliere's damages? Do not reduce the  
2 damages based on the fault (if any) of others.

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4 a. Past economic loss

5 medical expenses: \$ 118,000

6 lost earnings: \$ 102,000

7  
8 b. Future economic loss

9 Future medical expenses: \$ 785,000

10 c. Past non-economic loss, including physical pain, mental suffering, loss  
11 of enjoyment of life, disfigurement, physical impairment,  
12 inconvenience, grief, anxiety, humiliation, emotional distress, fright,  
13 nervousness, worry, mortification, shock, indignity, embarrassment,  
14 apprehension, terror and ordeal:  
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17  
18 Past non-economic loss: \$ 2,000,000

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20 d. Future non-economic loss, including physical pain, mental suffering,  
21 loss of enjoyment of life, disfigurement, physical impairment,  
22 inconvenience, grief, anxiety, humiliation, emotional distress, fright,  
23 nervousness, worry, mortification, shock, indignity, embarrassment,  
24 apprehension, terror and ordeal:  
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27  
28 Future non-economic loss: \$ 8,000,000



1 **Question No. 17:** Was Connie May Castellow negligent?

2 Answer "yes" or "no". Answer: yes

3  
4 If your answer to Question 17 is "yes", then answer Question 18. If you answered  
5 "no" to Question 17, then answer Question 19 if you answered "yes" to  
6 Question 2 or Question 4 or Question 9. If you answered "no" to Question 17 and  
7 "no" to Question 1 or 2 and "no" to Question 3 or 4 and "no" to Question 5 or 6 or  
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9 7 or 8 or 9, STOP.

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11 **Question No. 18:** Was Connie May Castellow's negligence a substantial  
12 factor in causing Joey Soulliere's harm?

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14 Answer "yes" or "no". Answer: NO

15 If your answer to Question 18 is "yes", then answer Question 19. If you answered  
16 "no" to Question 18, then answer Question 19 if you answered "yes" to  
17 Question 2 or Question 4 or Question 9. If you answered "no" to Question 18 and  
18 "no" to Question 1 or 2 and "no" to Question 3 or 4 and "no" to Question 5 or 6 or  
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20 7 or 8 or 9, STOP.

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