BUPERIOR COURT OF CALIFORNIA
COUNTY OF ORANGE
NORTH JUSTICE CENTER

APR 24 2023

DAVID H, YAMASAKI, Clerk of the Court

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BY: <u>D, VELASQUEZ</u>, DEPUTY

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

THOMAS JOSEPH SOULLIERE,

Plaintiff,

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

VS.

SUZUKI MOTOR CORPORATION

Defendants.

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 ye5.

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

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1	Question No. 2: Was the design of the front brake of Joey Soulliere's
2	motorcycle a substantial factor in causing harm to Joey Soulliere?
3	Answer "yes" or "no". Answer \(\frac{\frac{1}{25}}{25} \).
4 5	Answer Question 3.
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8	STRICT LIABILITY – MANUFACTURING DEFECT
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10	Question No. 3: Did Joey Soulliere's motorcycle contain a manufacturing
11 12	defect when it left Suzuki Motor Corporation's possession?
13	Answer "yes" or "no". Answer
14	If your answer to Question 3 is "yes," then answer Question 4. If your answer to
15	Question 3 is "no," then answer Question 5.
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17 18	Question No. 4: Was the manufacturing defect a substantial factor in
19	causing harm to Joey Soulliere?
20	Answer "yes" or "no". Answer
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22	Answer Question 5.
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SPECIAL VERDICT FORM

STRICT LIABILITY -FAILURE TO WARN

Question No. 5: Did Joey Soulliere's motorcycle have potential risks that were known or knowable in light of the scientific knowledge that was generally accepted in the scientific community at the time of manufacture, distribution, or sale?

Answer "yes" or "no". Answer <u>4ll</u>.

If your answer to Question 5 is "yes", then answer Question 6. If you answered "no" to Question 5, then answer Question 10 if you answered "yes" to Question 2 or Question 4. If you answered "no" to Question 5 and "no" to Question 1 or 2 and "no" Question 3 or 4, STOP.

Question No. 6: Did the potential risks present a substantial danger to persons using or misusing the motorcycle in an intended or reasonably foreseeable way?

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

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1	Question No. 7 : Would ordinary consumers have recognized the
2	potential risks?
3	Answer "yes" or "no". Answer
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.
7	
9	Question No. 8: Did Suzuki Motor Corporation fail to adequately warn of
10	the potential risks?
11	Answer "yes" or "no". Answer \(\frac{\frac{1}{2}}{2} \).
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 18	in causing harm to Joey Soulliere?
19	Answer "yes" or "no". Answer \(\frac{4es}{}. \)
20	Answer Question 10.
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NEGLIGENT RECALL OR RETROFIT

Question No. 10: Did Suzuki Motor Corporation know or should Suzuki Motor Corporation have reasonably known that the GSXR motorcycle was dangerous or was likely to be dangerous when used in a reasonably foreseeable manner?

Answer "yes" or "no". Answer \(\frac{\frac{1}{25}}{25} \).

If your answer to Question 10 is "yes", then answer Question 11. If you answered "no" to Question 10, then answer Question 16 if you answered "yes" to Question 2 or Question 4 or Question 9. If you answered "no" to Question 10 and "no" to Question 1 or 2 and "no" Question 3 or 4 and "no" to Question 5 or 6 or 7 or 8 or 9, STOP.

Question No. 11: Did Suzuki Motor Corporation become aware of this defect after the GSXR motorcycle was sold?

Answer "yes" or "no". Answer $\underline{\cancel{9}}$.

If your answer to Question 11 is "yes", then answer Question 12. If you answered "no" to Question 11, then answer Question 16 if you answered "yes" to Question 2 or Question 4 or Question 9. If you answered "no" to Question 11 and "no" to Question 1 or 2 and "no" Question 3 or 4 and "no" to Question 5 or 6 or 7 or 8 or 9, STOP.

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

Answer "yes" or "no". Answer <u>Yes</u>.

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

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

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

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Question No. 14: Was Joey Soulliere harmed?

Answer "yes" or "no". Answer <u>Yes</u>.

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

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

Answer "yes" or "no". Answer $\frac{\cancel{\cancel{100}}}{\cancel{\cancel{100}}}$.

If your answer to Question 15 is "yes", then answer Question 16. If you answered "no" to Question 15, then answer Question 16 if you answered "yes" to Question 2 or Question 4 or Question 9. If you answered "no" to Question 15 and "no" to Question 1 or 2 and "no" to Question 3 or 4 and "no" to Question 5 or 6 or 7 or 8 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.
3	a. Past economic loss
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5	medical expenses: \$ 118,000 lost earnings: \$ 107,000
6	lost earnings: \$ 107,000
7	b. Future economic loss
9	Future medical expenses: \$ 785,000
10	c. Past non-economic loss, including physical pain, mental suffering, loss
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12	of enjoyment of life, disfigurement, physical impairment
1.3	inconvenience, grief, anxiety, humiliation, emotional distress, fright
14	nervousness, worry, mortification, shock, indignity, embarrassment
15	apprehension, terror and ordeal:
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18	Past non-economic loss: \$ 2,000,800
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20	d. Future non-economic loss, including physical pain, mental suffering
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22	loss of enjoyment of life, disfigurement, physical impairment
23	inconvenience, grief, anxiety, humiliation, emotional distress, fright
24	nervousness, worry, mortification, shock, indignity, embarrassment
25	apprehension, terror and ordeal:
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-7	Future non-economic loss: \$
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1	Question No. 17: Was Connie May Castellow negligent?
2	Answer "yes" or "no". Answer:
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
9	7 or 8 or 9, STOP.
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1	Question No. 18: Was Connie May Castellow's negligence a substantial
.3	factor in causing Joey Soulliere's harm?
.4	Answer "yes" or "no". Answer:
.5	If your answer to Question 18 is "yes", then answer Question 19. If you answered
.6	"no" to Question 18, then answer Question 19 if you answered "yes" to
.8	Question 2 or Question 4 or Question 9. If you answered "no" to Question 18 and
.9	"no" to Question 1 or 2 and "no" to Question 3 or 4 and "no" to Question 5 or 6 or
20	7 or 8 or 9, STOP.
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SPECIAL VERDICT FORM

1	Question No. 19: What percentage of responsibility for Joey Soulliere's
2	harm do you assign to:
3 4	Connie May Castellow
5	Suzuki Motor Corporation
6	TOTAL 100 %
7	If you award any percentage of fault to Suzuki Motor Corporation, answer
9	Question No. 20. If you did not award any percentage of fault to Suzuki Motor
1.0	Corporation, STOP.
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12 13	Question No.20: Did Suzuki Motor Corporation engage in conduct with
14	malice, oppression, or fraud?
15	Answer "yes" or "no". Answer: \(\frac{1}{26} \)
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19	Please date and sign the form and return to the clerk.
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22	Datado 4444 244 2022 500 00 10 10 10 10 10 10 10 10 10 10 10 1
23	Dated: April 24,2023 Lak likening
24	Presiding juror
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SPECIAL VERDICT FORM