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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

HARVEY SMITH,)	Case No.: 3:21-cv-04250-MMC
)	
Plaintiff,)	
)	
v.)	VERDICT FORM
)	
SUNSHINE OPERATIONS, LLC,)	
)	
Defendant.)	

1 **We, the jury in the above-titled action, find as follows:**

2

3 **QUESTION 1:**

4 **Was Defendant Sunrise Operations, LLC negligent?**

5

6 Yes No

7

8 *If you answered Question 1 "Yes," proceed to Question 2.*

9

10 *If you answered Question 1 "No," do not answer Question 2 and proceed to Question 3.*

11

12

13 **QUESTION 2:**

14 **Was Defendant Sunrise Operations, LLC's negligence a cause of Plaintiff Harvey Smith's**
15 **injury?**

16

17 Yes No

18

19 *Proceed to Question 3.*

20

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1 **QUESTION 3:**

2 **Was the HORIZON SPIRIT unseaworthy?**

3

4 Yes No

5

6 *If you answered Question 3 "Yes," then proceed to Question 4.*

7

8 *If you Answer Question 3 "No," and you also answered Questions 1 or Question 2 "No," then do*
9 *not answer any more questions, sign and date this Verdict Form, and notify the Court.*

10

11 *If you Answer Question 3 "No," but you answered Question 1 and Question 2 "Yes," then do not*
12 *answer Question 4 and proceed to Question 5.*

13

14

15 **QUESTION 4:**

16 **Was the unseaworthiness of the HORIZON SPIRIT a substantial factor in causing**
17 **Plaintiff Harvey Smith's injury?**

18

19 Yes No

20

21 *If you answered Question 4 "Yes," proceed to Question 5.*

22

23 *If you answered Question 4 "No," but you answered Question 1 and Question 2 "Yes," proceed to*
24 *Question 5.*

25

26 *If you answered Question 4 "No," and you also answered Question 1 or Question 2 "No," do not*
27 *answer any more questions, sign and date this Verdict Form, and notify the Court.*

28

1 **QUESTION 5:**

2 **Was Plaintiff Harvey Smith ordered to perform the task that resulted in his injury?**

3

4 Yes

No

5

6 *Proceed to Question 6.*

7

8

9 **QUESTION 6:**

10 **Was Plaintiff Harvey Smith negligent?**

11

12 Yes

No

13

14 *If you answered Question 6 "Yes," proceed to Question 7.*

15 *If you answered Question 6 "No," do **not** answer Questions No. 7, 8, or 9 and proceed to*

16 *Question 10.*

17

18

19 **QUESTION 7:**

20 **Was Plaintiff Harvey Smith's negligence a cause of his injury?**

21

22 Yes

No

23

24 *If you answered Question 7 "Yes," proceed to Question 8.*

25 *If you answered Question 7 "No," do **not** answer Question 8 or Question 9 and proceed to*

26 *Question 10.*

27

28

1 **QUESTION 8:**

2 **Was Plaintiff Harvey Smith’s negligence a substantial factor in causing his injury?**

3

4 Yes No

5

6 *If you answered Question 7 or Question 8 “Yes,” proceed to Question 9.*

7 *If you answered Question 8 “No,” proceed to Question 10.*

8

9

10 **QUESTION 9:**

11 **We, the jury in the above-titled action, apportion fault between Plaintiff Harvey Smith and**

12 **Defendant Sunrise Operations, LLC as follows:**

13

14 Plaintiff Harvey Smith 95 %

15

16 Defendant Sunrise Operations 5 %

17

18 Total 100%

19

20 *Proceed to Question 10.*

21

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1 **QUESTION 10:**

2 **We, the jury in the above-titled action, find that Plaintiff Harvey Smith suffered the following**
3 **damages as a result of his injury:**

4

5 a. Past Economic Losses \$ 110,000

6

7 b. Future Economic Losses \$ 3,700,000

8

9 c. Past Non-Economic Losses \$ 110,000

10

11 d. Future Non-Economic Losses \$ 3,700,000

12

13 Total \$ 7,620,000

14

15

16

17 3-9-2023
DATE

18

[Signature]
JURY FOREPERSON

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