

ABEL & ZIMMERMANN,

Plaintiff,

GENERAL CIVIL DIVISION

CASE NO. 96-012946 CACE 03

vs.

DAVID K. BRENNER, individually,

Defendant

VERDICT FORM

We, the Jury, find as follows:

- If you find that there is July 25, 1995 contract between Plaintiff + Defendant,*
- Did Defendant, David Brenner, breach the July 25, 1995 contract with Plaintiff, Abel & Zimmermann? YES  NO

If your answer is Yes, please continue with question 2. If your answer is No, please skip question 2, and answer question 3.

- What is the total amount of damages the Plaintiff, Abel & Zimmermann, suffered as a result of Defendant, David Brenner's breach of the July 25, 1995 contract? \$ 45,403

- If you find that there is a Nov. 25, 1995 contract between Plaintiff + Defendant,*
- Did Defendant, David Brenner, breach the November 25, 1995 contract with Plaintiff, Abel & Zimmermann? YES  NO

If your answer is Yes, please continue with question 4. If your answer is No, please skip question 4, and answer question 5.

- What is the total amount of damages the Plaintiff, Abel & Zimmermann, suffered as a result of Defendant, David Brenner's breach of the November 25, 1995 contract? \$ 16,390

- Did Defendant, David Brenner, make a false statement or representation to Plaintiff, Abel & Zimmermann? YES  NO

If your answer is Yes, please continue with questions 6 and 7. If your answer is No, please skip questions 6 and 7, and answer question 8.

A TRUE COPY  
Circuit Court Seal

Filed in Open Court,  
Clerk of the Circuit Court  
3-13-01  
JUDITH MANZITO

6. What is the total amount of damages that Plaintiff, Abel & Zimmermann suffered as a result of Defendant, David Brenner's fraudulent statements or representations?

\$ 24,500<sup>00</sup>

7. If you find that punitive damages are warranted for Defendant's fraudulent misrepresentation as punishment and as a deterrent to others, what is the amount of punitive damages you deem appropriate?

\$ 200,000<sup>00</sup>

8. Did Defendant, David Brenner, obtain or use the property of Plaintiff, Abel & Zimmermann, with the intent to permanently or temporarily deprive Abel & Zimmermann of its property?

YES  NO

If your answer is Yes, please continue with question 9. If your answer is No, please skip question 9, and answer question 10.

9. What is the total amount of damages the Plaintiff, Abel & Zimmermann suffered as a result of Defendant, David Brenner's civil theft of Abel & Zimmermann's jewelry? The amount of damages you write down <sup>may</sup> be three times the actual damages

*Plaintiff and must be a minimum of \$200.00, sustained by*

\$ 200<sup>00</sup>

10. Did Defendant, David Brenner, intentionally deprive Plaintiff Abel & Zimmermann of its property, without Abel & Zimmermann's consent, for a permanent or indefinite amount of time

YES  NO

*thereby converting it to the Defendant's own use.*

If your answer is Yes, please continue with question 11. If your answer is No, please skip question 11, and answer question 12.

11. What is the total amount of damages the Plaintiff, Abel & Zimmermann suffered as a result of Defendant, David Brenner's conversion of Abel & Zimmermann's jewelry?

\$ 125,000<sup>00</sup>

TOTAL AMOUNT OF DAMAGES

\$ 411,493<sup>00</sup>

SO SAY WE ALL, this 13<sup>th</sup> day of March, 2001.

Rob Allen

As Foreperson