

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

KATHRYN COX et al.,

Plaintiffs,

v.

CONTINENTAL CASUALTY  
COMPANY,

Defendant.

NO. C13-2288 MJP

SPECIAL VERDICT FORM

We, the jury, answer the questions submitted by this Court as follows:

- (1) Do you find by a preponderance of the evidence that Continental failed to act in good faith and that such failure was a proximate cause of harm to Dr. Duyzend?

ANSWER: No (Write "yes" or "no")

*(Instruction: If you answered "yes" to Question 1, answer Question 2. If you answered "no" to Question 1, skip Question 2 and answer Question 3.)*

- (2) What are the total damages caused by Continental's failure to act in good faith?

ANSWER:                     

*(Instruction: Answer Question 3.)*

- (3) Do you find by a preponderance of the evidence that Continental was negligent and that such negligence was a proximate cause of harm to Dr. Duyzend?

ANSWER: Yes (Write "yes" or "no")

*(Instruction: If you answered "yes" to Question 3, answer Question 4. If you answered "no" to Question 3, skip Question 4 and answer Question 5.)*

- (4) What are the total damages caused by Continental's negligence?

ANSWER: \$10,196,775.00

*(Instruction: Answer Question 5.)*

- (5) Do you find by a preponderance of the evidence that Continental violated the Consumer Protection Act and that such violation was a proximate cause of harm to Dr. Duyzend?

ANSWER: Yes (Write "yes" or "no")

*(Instruction: If you answered "yes" to Question 5, answer Question 6. If you answered "no" to Question 5, skip Question 6 and answer Question 7.)*

- (6) What are the total damages caused by Continental's Consumer Protection Act violation?

ANSWER: \$6,277,652.08

*(Instruction: If you entered any amount in any of Answers 2, 4, or 6, then proceed to Question 7.)*

(7) What are the total damages caused by Continental's failure to act in good faith, negligence, and/or violation of the Consumer Protection Act? Do not duplicate damages.

ANSWER: \$16,474,427.08

(Instruction: If you entered an amount in Answer 7, answer Question 8.)

(8) Do you find that Dr. Duyzend failed to avoid or minimize the damages incurred by him?

ANSWER: No (Write "yes" or "no")

(Instruction: If your answer is yes, proceed to Question 9. If your answer is no, skip Question 9 and proceed to the signature line.)

(9) By what amount would Dr. Duyzend's total damages have been avoided or minimized?

ANSWER: \_\_\_\_\_

(Instruction: Sign this verdict and notify the bailiff.)

PRESIDING JUROR: \_\_\_\_\_

DATE: 1/23/15