IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF IOWA
WESTERN DIVISION

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MICHAEL McGUIRE and ELAINE McGUIRE, and MICHAEL McGUIRE as Natural Father and Next Friend of COLLEEN McGUIRE, a Minor, Plaintiffs, vs. LOUISVILLE LADDER GROUP LLC, Defendant.	No. **C01-4063-PAZ** **VERDICT FORM**

We, the jury in the above-entitled case, return the following verdict:

Question No. 1 Was Davidson Manufacturing Corporation at fault on any of the following three claims? (Answer "yes" or "no" on each claim.)

(a) Design Defect ANSWER: No

(b) Manufacturing Defect ANSWER: yes

(c) General Negligence ANSWER: yes

If you answer "no" to all three of these questions, then do not answer any further questions on this verdict form. If you answer "yes" to any of these three questions, then answer Question No. 2, but only with respect to claims on which you have answered "yes" in your responses to Question No. 1.

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Question No. 2 Was the fault of Davidson Manufacturing Corporation a proximate cause of Michael McGuire's damages? (Answer "yes" or "no" on the following claims, **but only with respect to claims on which you have answered "yes" in your responses to Question No. 1**. If you have answered "no" on a claim in Question No. 1, leave the answer blank with respect to the same claim below.)

(a) Design Defect ANSWER: _____

(b) Manufacturing Defect ANSWER: yes

(c) General Negligence ANSWER: yes

If you answer "no" in response to all three of the above questions, then do not answer any further questions on this verdict form. If you answer "yes" on either Question 2(a) or Question 2(b), then answer Question No. 3. If you answer "no" to both Question 2(a) and Question 2(b), but you answer "yes" to Question 2(c), then proceed directly to Question No. 4.

Question No. 3 Did Davidson Manufacturing Corporation comply with the state of the art in designing or manufacturing the stepladder (Answer "yes" or "no," except **(1)** if you have answered "no" to Question No. 1(a) or Question No. 2(a), then do not answer Question No. 3(a); and **(2)** if you have answered "no" to Question No. 1(b) or Question No. 2(b), then do not answer Question No. 3(b).)

(a) Designing (see Final Instruction No. 7) ANSWER: _____

(b) Manufacturing (see Final Instruction No. 9) ANSWER: yes

*If the following two things have occurred, then do not answer any further questions on this verdict form: **(1)** you have either left blank or answered "yes" to both Question No. 3(a) and Question No. 3(b); **and** **(2)** you have answered "no" to either Question No. 1(c) or Question No. 2(c). Otherwise, answer Question No. 4.*

Question No. 4 Was the plaintiff Michael McGuire at fault? (Answer "yes" or "no")

ANSWER: yes

If you answer "no," then do not answer Question No. 5 or Question No. 6, and proceed directly to Question No. 7. If you answer "yes," then answer Question No. 5.

Question No. 5 Was the fault of Michael McGuire a proximate cause of his damages? (Answer "yes" or "no")

ANSWER: yes

If you answer "no," then do not answer Question No. 6, and proceed directly to Question No. 7. If you answer "yes," then answer Question No. 6.

Question No. 6 Using 100% as the total of the combined fault of Michael McGuire and Davidson Manufacturing Corporation that proximately caused damages to Michael McGuire, what percentage of the total fault do you assign to Michael McGuire and what percentage of the total fault do you assign to Davidson?

ANSWER:	Michael McGuire	50 %
	Davidson Manufacturing Corporation	50 %
	TOTAL	**100%**

If you find Michael McGuire was more than 50% at fault, then do not answer any further questions on this verdict form. If you find Michael McGuire was not at fault or was 50% or less at fault, then answer Question No. 7.

Question No. 7 State the amount of damages sustained by Michael McGuire for each of the following items of damage. Do not take into consideration any reduction of damages due to any fault of Michael McGuire. If Michael McGuire has failed to prove an item of damage, or has failed to prove that an item of damage was proximately caused by Davidson Manufacturing Corporation, enter "0" for that item.

(a)	Past medical expenses	$115,677.14[1]
(b)	Future medical expenses	$11,000
(c)	Past loss of income	$8,000
(d)	Loss of future earning capacity	$40,000
(e)	Past pain and suffering	$25,000
(f)	Future pain and suffering	$10,000
(g)	Past loss of use of mind and body	$194,000
(h)	Future loss of use of mind and body	$250,000
TOTAL (add the separate items of damages)		$623,677.14

Question No. 8 Is the plaintiff Elaine McGuire entitled to damages for loss of spousal consortium? (Answer "yes" or "no.")

ANSWER: yes

If you answer "no," then do not answer Question No. 9, and proceed directly to Question No. 10. If you answer "yes," then answer Question No. 9.

[1]Reduce this number by the amount, if any, you find has been paid by Michael McGuire's homeowner's insurance policy.

Question No. 9 State the amount of damages sustained by Elaine McGuire for loss of spousal consortium. Do not take into consideration any reduction of damages due to any fault of Michael McGuire. If Elaine McGuire has failed to prove an item of spousal consortium damages, or has failed to prove that such item was proximately caused by Davidson Manufacturing Corporation, enter "0" for that item.

(a) Past loss of consortium $ 15,000

(b) Future loss of consortium $ 30,000

TOTAL (add the separate items of damages) $ 45,000

Question No. 10 Is the plaintiff Michael McGuire entitled to damages for loss of parental consortium on behalf of Colleen McGuire? (Answer "yes" or "no.")

ANSWER: NO

If you answer "no," then do not answer Question No. 11. If you answer "yes," then answer Question No. 11.

Question No. 11 State the amount of damages sustained by Colleen McGuire for loss of parental consortium. Do not take into consideration any reduction of damages due to any fault of Michael McGuire. If Michael McGuire, on behalf of Colleen McGuire, has failed to prove an item of parental consortium damages for Colleen McGuire, or has failed to prove that such item was proximately caused by Davidson Manufacturing Corporation, enter "0" for that item.

(a) Past loss of consortium $_____

(b) Future loss of consortium $_____

TOTAL (add the separate items of damages) $_____

DATED this 30 day of January, 2003.

Foreperson

Copies mailed on 1/30/03 to counsel of record or pro se parties as shown on the docket sheet.

Deputy Clerk