

FILED
U.S. DISTRICT COURT
NORTHERN DISTRICT OF IOWA
JUN 11 2001
CEDAR RAPIDS HDQTRS. OFFICE 060401SLJ
BY JKS C99-1032.V

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

DEBRA KUBITZ; BRUCE KUBITZ;
and DEBRA KUBITZ, As Parent and
Next Friend of Larry Kubitz, a Minor,

Plaintiffs,

vs.

DOHRN TRANSFER COMPANY,

Defendant.

No. C99-1032

VERDICT FORM

VERDICT FORM (Cont'd)

We find the following verdict on the questions submitted to us:

QUESTION NO. 1: Was Dohm Transfer Company negligent in:

- a. Failing to exercise due care for the safety of Debra Kubitz in the method in which the box was unloaded; or

Answer "yes" or "no."

ANSWER: Yes

- b. Failing to inform Debra Kubitz of the weight of the box or otherwise determine her ability to assist in unloading the box.

Answer "yes" or "no."

ANSWER: No

[If your answer to both parts is "no," do not answer any further questions. If your answer to either part or both is "yes," then answer Question No. 2.]

QUESTION NO. 2: Was the negligence you found in Question No. 1 of Dohm Transfer Company a proximate cause of any damage to the plaintiffs? (Answer "yes" or "no" for any part to which you answered "yes" in Question No. 1 above.)

- a. Failing to exercise due care for the safety of Debra Kubitz in the method in which the box was unloaded; or

Answer "yes" or "no."

ANSWER: No

- b. Failing to inform Debra Kubitz of the weight of the box or otherwise determine her ability to assist in unloading the box.

Answer "yes" or "no."

ANSWER: No

[If your answer to either part of Question No. 2 is "yes," then answer Question No. 3. If not, do not answer any further questions.]

VERDICT FORM (Cont'd)

QUESTION NO. 3: Was plaintiff Debra Kubitz negligent?

Answer "yes" or "no."

ANSWER: _____

[If your answer is "yes," then answer Question No. 4. If your answer is "no," then go on to Question No. 6.]

QUESTION NO. 4: Was the negligence of Debra Kubitz a proximate cause of any damage to plaintiffs?

Answer "yes" or "no."

ANSWER: _____

[If your answer is "yes," then answer Question No. 5. If your answer is "no," then go on to Question No. 6.]

QUESTION NO. 5: Using 100% as the total negligence of plaintiff Debra Kubitz and defendant which was a proximate cause of damage to plaintiffs, what percentage of total negligence do you assign to Debra Kubitz and what percentage of the total negligence do you assign to Dohrn Transfer Company?

ANSWER: Plaintiff Debra Kubitz _____%

Defendant Dohrn Transfer Company _____%

TOTAL 100%

[If you find Debra Kubitz to be more than 50% negligent, do not answer Question No. 6.]

VERDICT FORM (Cont'd)

QUESTION NO. 6: State the amount of damages sustained by plaintiffs for each of the following items of damage. Do not take into consideration any reduction of damages due to Debra Kubitz's negligence. If plaintiffs failed to prove any item of damage, enter 0 for that item.

1. Past medical expenses \$ _____
2. Future medical expenses \$ _____
3. Past loss of wages \$ _____
4. Loss of future earning capacity \$ _____
5. Past loss of function of the body \$ _____
6. Future loss of function of the body \$ _____
7. Past pain and suffering \$ _____
8. Future pain and suffering \$ _____
9. Parental consortium - Larry Kubitz \$ _____
10. Spousal consortium \$ _____

TOTAL (add the separate items of damage) \$ _____

VERDICT FORM (Cont'd)