

29

IN THE CIRCUIT COURT OF THE 11TH  
JUDICIAL CIRCUIT IN AND FOR  
MIAMI-DADE COUNTY, FLORIDA

GENERAL JURISDICTION DIVISION

CASE NO. 08-00113 CA 31

MIRTHA LEDO, as Personal  
Representative of the Estate of JOSÉ LEDO,  
deceased,

Plaintiff,

v.

R.J. REYNOLDS TOBACCO COMPANY,  
et al.,

Defendants.

**VERDICT FORM**

1. Was José Ledo addicted to nicotine in American cigarettes, and if so, was such addiction to nicotine in American cigarettes a legal cause of his laryngeal cancer and death?

Yes  No

*If you answered No to Question 1, please proceed no further other than to sign and date this verdict form and return to the Courtroom.*

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

2. Did José Ledo reasonably rely to his detriment on a statement of material fact made by R.J. Reynolds that concealed or omitted material information not otherwise known or available concerning the health effects or addictive nature of smoking cigarettes and, if so, was such reliance a legal cause of his laryngeal cancer and death?

Yes  No

*Please proceed to Question 3.*

3. Did José Ledo reasonably rely to his detriment on a statement made in furtherance of R.J. Reynolds' agreement to conceal material information not otherwise known or available concerning the health effects or addictive nature of smoking cigarettes and, if so, was such reliance a legal cause of his laryngeal cancer and death?

Yes \_\_\_\_\_ No X

*Please proceed to Question 4.*

4. What is the percentage of fault that you charge to José Ledo and the percentage of fault, if any, that you charge to R.J. Reynolds for legally causing José Ledo's laryngeal cancer and death?

José Ledo	<u>51</u> %
R.J. Reynolds	<u>49</u> %

**TOTAL FAULT OF ALL PARTIES MUST BE 100%**

**You must assign some percentage of fault to José Ledo.**

*If you entered zero percent fault for R.J. Reynolds, please proceed no further other than to sign and date the verdict form and return to the Courtroom.*

*If you assigned any fault to R.J. Reynolds, please proceed to Question 5.*

5. What is the amount of damages, if any, you award to:

Mirtha Ledo	\$ <u>2 million</u>
Carlos Ledo	\$ <u>4 million</u>

In determining the total amount of damages, if any, to be awarded, you should not make any reduction because of the fault you have charged to José Ledo. The Court will enter a judgment based on your verdict and, in entering judgment, will reduce the total amount of damages by the percentage of fault which you find is chargeable to José Ledo.

*If you awarded no damages, you have reached your verdict. Please sign and date the verdict form and return it to the courtroom.*

*If you awarded damages, please proceed to Question 6.*

6. State whether you find by clear and convincing evidence that punitive damages are warranted against RJ Reynolds under the circumstances of Plaintiff's design defect claim:

Yes X No       

SO SAY WE ALL, this 2<sup>ND</sup> day of NOVEMBER, 2016

ZANA SCARLETT

Foreperson

Zana Scarlett

Foreperson's Printed Name