



**FILED**  
ALAMEDA COUNTY

NOV 05 2012

CLERK OF THE SUPERIOR COURT  
By *Danielle Habucque*  
Deputy

Case No. RG 11592967

**VERDICT FORM**

We, the jury in the above-entitled action, answer the question submitted to us as follows:

1. What amount of punitive damages, if any, do you award Jerry and Betty Douglas?

\$ 1.9 million dollars.

Date: 11/5/2012

*Cassandra Jackson*  
Presiding Juror

After this verdict form has been signed, notify the court attendant that you are ready to present your verdict in the courtroom.

11440



**FILED**  
ALAMEDA COUNTY

OCT 31 2012

CLERK OF THE SUPERIOR COURT  
By [Signature]  
Deputy

Case No. RG 11592967

**VERDICT FORM**

We, the jury in the above-entitled action, answer the questions submitted to us as follows:

1. Did the application for insurance with Fidelity National Insurance Co. by Jerry and Betty Douglas contain a misrepresentation of fact?

Yes                       No

If your answer to question 1 is yes, then answer question 2. If you answered no, go to question number 4.

2. Was the misrepresentation of fact material?

Yes                       No

If your answer to question 2 is yes, then answer question 3. If you answered no, go to question number 4.

3. Would Fidelity National Insurance Co. have issued the insurance policy had they known the true facts in the application?

Yes                       No

If your answer to question 3 is yes, then answer question 4. If you answered no, answer question number 3a.

3a. What is the amount that Jerry and Betty Douglas received from Fidelity National Insurance Co. ?

\$ \_\_\_\_\_

Then do not answer any further questions, and go to the last page and have the presiding juror sign and date form.

4. Did Jerry or Betty Douglas suffer a loss covered under the policy with Fidelity National Insurance Company?

Yes                       No

If your answer to question 4 is "yes," then answer question 5. If you answered "no," then do not answer any further questions, and go to the last page and have the presiding juror sign and date form.

5. What is the amount of the covered loss that Fidelity National Insurance Company failed to pay Jerry and Betty Douglas?

|                           |                                |
|---------------------------|--------------------------------|
| Loss of real property     | \$ <u>298,924.28</u>           |
| Loss of personal property | \$ <u>110,000.00</u>           |
| Loss of use               | \$ <u>15,600.<sup>00</sup></u> |

If the answer is "0.00" to all of the above, then do not answer any further questions, and go to the last page and have the presiding juror sign and date form. If the answer to any of the above is anything other than "0.00", then answer question 6.

6. Was Fidelity National Insurance Company's failure to pay for any covered loss under the insurance policy unreasonable or without proper cause?

Yes                       No

If your answer to question 6 is "yes," then answer question 7. If you answered "no," then do not answer any further questions, and go to the last page and have the presiding juror sign and date form.

7. Was any failure by Fidelity National Insurance Co. to pay policy benefits a substantial factor in causing harm to Jerry or Betty Douglas?

Yes                       No

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If your answer to question 7 is "yes," then answer question 8. If you answered "no," then do not answer any further questions, and go to the last page and have the presiding juror sign and date form.

8. What are Jerry and Betty Douglas's damages?

a) Additional loss of use \$ 3,600.<sup>00</sup>

b) Emotional distress \$ 300,000.<sup>00</sup>

9. What percentage of time spent by the attorneys for plaintiffs was to recover the policy benefits listed in answer to question number five?

% 80%

10. Based on that percentage, what are the attorney's fees for recovering the policy benefits listed in answer to question number five?

\$ 101,885.83

11. Did Fidelity National Insurance Company act with fraud, malice, or oppression by withholding or delaying the payment of policy benefits?

Yes

No

If your answer to question 11 is "yes," then answer question 12. If you answered "no," then do not answer any further questions, and go to the last page and have the presiding juror sign and date form.

12. Was the act constituting the fraud, malice or oppression authorized by one or more officers, directors, or managing agents of Fidelity National Insurance Company?

Yes

No

Please sign and return this verdict.

Date: 10.31.12

Cassandra Jackson  
Presiding Juror