

A1082

**Exhibit C to Zucker Affirmation -
Verdict Sheet
[pp. A1082 - A1109]**

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF RICHMOND DCM PART 3

-----X
GARY MOTELSON, as Administrator of the Estate
of infant BRIAN MOTELSON, Deceased,
EVAN MOTELSON, an infant by his parents
and natural guardians GARY MOTELSON
and ELISSA MOTELSON, GARY MOTELSON, individually,
and ELISSA MOTELSON, individually,

Index No.: 12660/01

Plaintiffs,

-against-

VERDICT SHEET

FORD MOTOR COMPANY and
FORD MOTOR CREDIT COMPANY,

Justice Joseph J. Maltese

Defendants.

and other actions.

-----X
MICHAEL MOTELSON, as Administrator of the Estate
OF STEVEN MOTELSON, Deceased,
and ENID MOTELSON, individually,

Plaintiffs,

-against-

FORD MOTOR COMPANY and
FORD MOTOR CREDIT COMPANY,

Defendants.

-----X

PRELIMINARY QUESTIONS

A Was Brian Motelson wearing his seatbelt at the time of the accident?

Yes ___ No

All 6 Jurors agree:

5 out of 6 Jurors agree: ___

Print Name of Dissenting Vote: _____

B Was Evan Motelson wearing his seatbelt at the time of the accident?

Yes ___ No

All 6 Jurors agree: ___

5 out of 6 Jurors agree:

Print Name of Dissenting Vote: Gary Mosley

If you have answered yes to either or both questions A and/or B, proceed to questions 1, 2 and 3. If you have answered no to both questions A and B, proceed directly to question 4.

QUESTIONS

1 a. Was the rear seat belt system defectively designed?

Yes ___ No ___

All 6 Jurors agree: _____

5 out of 6 Jurors agree: _____

Print Name of Dissenting Vote: _____

If your answer to part "a" is "Yes," proceed to part "b".

If your answer to part "a" is "No" proceed to Question 2.

1 b. Was that a substantial factor in causing the injury to Evan Motelson?

Yes ___ No ___

All 6 Jurors agree: _____

5 out of 6 Jurors agree: _____

Print Name of Dissenting Vote: _____

1 c. Was that a substantial factor in causing the death of Brian Motelson?

Yes ___ No ___

All 6 Jurors agree: _____

5 out of 6 Jurors agree: _____

Print Name of Dissenting Vote: _____

Proceed to Question 2.

2 a. Was Ford's 1998 Explorer's rear seat belt system not reasonably fit for the ordinary purposes for which they were used?

Yes ___ No ___

All 6 Jurors agree: _____

5 out of 6 Jurors agree: _____

Print Name of Dissenting Vote: _____

**If your answer to part "a" is "Yes," proceed to part "b".
If your answer to part "a" is "No" proceed to Question 3.**

2 b. Was that a substantial factor in causing the plaintiffs' injuries and/or death?

Yes ___ No ___

All 6 Jurors agree: _____

5 out of 6 Jurors agree: _____

Print Name of Dissenting Vote: _____

A1086

3 a. Was Ford Motor Company negligent in failing to use reasonable care in designing, inspecting and testing the rear seat belt systems in the 1998 Ford Explorer?

Yes ___ No ___

All 6 Jurors agree: _____

5 out of 6 Jurors agree: _____

Print Name of Dissenting Vote: _____

**If your answer to part "a" is "Yes," proceed to part "b".
If your answer to part "a" is "No" proceed to Question 4.**

3 b. Was that a substantial factor in causing plaintiffs' injuries and/or deaths?

Yes ___ No ___

All 6 Jurors agree: _____

5 out of 6 Jurors agree: _____

Print Name of Dissenting Vote: _____

4 a. Was the front seat belt system defectively designed?

Yes ___ No

All 6 Jurors agree:

5 out of 6 Jurors agree: ___

Print Name of Dissenting Vote: _____

If your answer to part "a" is "Yes", proceed to part "b".
If your answer to part "a" is "No" proceed to Question 5.

4 b. Was that a substantial factor in causing Steven Motelson's death?

Yes ___ No ___

All 6 Jurors agree: ___

5 out of 6 Jurors agree: ___

Print Name of Dissenting Vote: _____

Proceed to Question 5.

5 a. Was Ford's 1998 Explorer's front seat belt system not reasonably fit for the ordinary purposes for which it was used?

Yes ___ No

All 6 Jurors agree:

5 out of 6 Jurors agree: ___

Print Name of Dissenting Vote: _____

If your answer to part "a" is "Yes," proceed to part "b".
If your answer to part "a" is "No" proceed to Question 6.

5 b. Was that a substantial factor in causing Steven Motelson's injuries and deaths?

Yes ___ No ___

All 6 Jurors agree: ___

5 out of 6 Jurors agree: ___

Print Name of Dissenting Vote: _____

Proceed to Question 6.

6 a. Was Ford Motor Company negligent in failing to use reasonable care in designing, inspecting and testing the front seat belt system in the 1998 Ford Explorer?

Yes No

All 6 Jurors agree:

5 out of 6 Jurors agree:

Print Name of Dissenting Vote: _____

**If your answer to part "a" is "Yes", proceed to part "b".
If your answer to part "a" is "No" proceed to Question 7.**

6 b. Was that negligence a substantial factor in causing Steven Motelson's injury and death?

Yes No

All 6 Jurors agree:

5 out of 6 Jurors agree:

Print Name of Dissenting Vote: _____

Proceed to Question 7.

A1090

7 a. Was the roof support system defectively designed?

Yes No

All 6 Jurors agree:

5 out of 6 Jurors agree:

Print Name of Dissenting Vote: _____

**If your answer to part "a" is "Yes," proceed to part "b".
If your answer to part "a" is "No" proceed to Question 8.**

7 b. Was that a substantial factor in causing Steven Motelson's injuries and death?

Yes No

All 6 Jurors agree:

5 out of 6 Jurors agree:

Print Name of Dissenting Vote: _____

Proceed to Question 8.

8 a. Was Ford's 1998 Explorer's roof support system not reasonably fit for the ordinary purposes for which such system is used?

Yes No

All 6 Jurors agree:

5 out of 6 Jurors agree:

Print Name of Dissenting Vote: _____

If your answer to part "a" is "Yes," proceed to part "b".

If your answer to part "a" is "No" proceed to Question 9.

8 b. Was that a substantial factor in causing the Steven Motelson's injuries and death?

Yes No

All 6 Jurors agree:

5 out of 6 Jurors agree:

Print Name of Dissenting Vote: _____

Proceed to Question 9.

A1092

9 a. Was Ford Motor Company negligent in failing to use reasonable care in designing, inspecting and testing the roof support system of the 1998 Ford Explorer?

Yes No

All 6 Jurors agree:

5 out of 6 Jurors agree:

Print Name of Dissenting Vote: _____

**If your answer to part "a" is "Yes," proceed to part "b".
If your answer to part "a" is "No" proceed to Question 10.**

9 b. Was this negligence a substantial factor in causing Steven Motelson's injuries and death?

Yes No

All 6 Jurors agree:

5 out of 6 Jurors agree:

Print Name of Dissenting Vote: _____

Proceed to Question 10.

10 a. Was the 1998 Ford Explorer's speed control cable system defectively designed?

Yes ___ No

All 6 Jurors agree: _____

5 out of 6 Jurors agree: _____

Print Name of Dissenting Vote: Glen Jones

If your answer to part "a" is "Yes," proceed to part "b".
If your answer to part "a" is "No" proceed to Question 11.

10 b. Was that a substantial factor in causing the plaintiffs' injuries and/or death?

Yes ___ No ___

All 6 Jurors agree: _____

5 out of 6 Jurors agree: _____

Print Name of Dissenting Vote: _____

Proceed to Question 11.

11 a. Was the speed control cable system not reasonably fit for the ordinary purposes for which such product is used?

Yes No

All 6 Jurors agree:

5 out of 6 Jurors agree:

Print Name of Dissenting Vote: Glen Jones

If your answer to part "a" is "Yes", proceed to part "b".
If your answer to part "a" is "No" proceed to Question 12.

11 b. Was that a substantial factor in causing the plaintiffs' injuries and/or deaths?

Yes No

All 6 Jurors agree:

5 out of 6 Jurors agree:

Print Name of Dissenting Vote: _____

Proceed to Question 12.

12 a. Was Ford Motor Company negligent in failing to use reasonable care in designing, inspecting and testing the speed control cable system of the 1998 Ford Explorer?

Yes ___ No

All 6 Jurors agree: ___

5 out of 6 Jurors agree:

Print Name of Dissenting Vote: Glen Jones

If your answer to part "a" is "Yes," proceed to part "b".
If your answer to part "a" is "No" proceed to Question 13.

12 b. Was this negligence a substantial factor in causing plaintiffs' injuries and/or deaths?

Yes ___ No ___

All 6 Jurors agree: ___

5 out of 6 Jurors agree: ___

Print Name of Dissenting Vote: _____

Proceed to Question 13.

13 a. Was Ford Motor Company negligent in failing to give adequate warnings of any dangers known to it of the design of the speed control cable system of the 1998 Explorer vehicle or which in the use of reasonable care it should have known?

Yes No

All 6 Jurors agree:

5 out of 6 Jurors agree:

Print Name of Dissenting Vote: _____

**If your answer to part "a" is "Yes," proceed to part "b".
If your answer to part "a" is "No" proceed to Question 14.**

13 b. Was this negligence a substantial factor in causing plaintiffs' injuries and/or deaths?

Yes No

All 6 Jurors agree:

5 out of 6 Jurors agree:

Print Name of Dissenting Vote: _____

Proceed to Question 14.

INSTRUCTIONS

If you answered "yes" to any one or more of the following questions:
1b, 2b, 3b, 4b, 5b, 6b, 7b, 8b, 9b, 10b, 11b, 12b or 13b, proceed to Question 14.

If you have not answered "yes" to any of the previous questions, STOP.
Do not proceed any further and advise the Court Officer you have a verdict.

14 a. Was Steven Motelson negligent in the operation of the 1998 Explorer?

Yes ___ No

All 6 Jurors agree:

5 out of 6 Jurors agree: ___

Print Name of Dissenting Vote: _____

If your answer to part "a" is "Yes," proceed to part "b".
If your answer to part "a" is "No" proceed to Question 15.

14 b. Was that negligence a substantial factor in causing plaintiffs' injuries and/or deaths?

Yes ___ No ___

All 6 Jurors agree: ___

5 out of 6 Jurors agree: ___

Print Name of Dissenting Vote: _____

If your answer to part "b" is "Yes," proceed to part "c."
If your answer to part "b" is "No" proceed to Question 15.

14 c. What is the percentage of responsibility chargeable to Ford Motor Company and what is the percentage chargeable to Steven Motelson?

Ford Motor Company: _____%

Steven Motelson: _____%

All 6 Jurors agree: ___

5 out of 6 Jurors agree: ___

Print Name of Dissenting Vote: _____

DAMAGES

15. State the amount of damages awarded to EVAN MOTELSON for Pain and Suffering up to the date of your verdict.

Amount: \$ none

All 6 Jurors agree: _____

5 out of 6 Jurors agree:

Print Name of Dissenting Vote: Glen Jones

Proceed to Question 16.

16 a. State the amount of future damages, if any, awarded to EVAN MOTELSON, for the permanent effect of his injuries, and further pain and suffering, from the time of your verdict to the time that EVAN MOTELSON could be expected to live and then state the period of years over which such amount is intended to provide compensation.

If you decide not to make an award, you will insert the word "none."

Amount: \$ NONE

Number of Years _____

All 6 Jurors agree: _____

5 out of 6 Jurors agree: _____

Print Name of Dissenting Vote: _____

A1100

16 b. State the amount of damages, if any, awarded to EVAN MOTELSON, for the costs of future medical treatment, care and medication, from the time of your verdict to the time that EVAN MOTELSON could be expected to live and then state the period of years over which such amount is intended to provide compensation.

If you decide not to make an award, you will insert the word "none."

Amount: \$ none

Number of Years _____

All 6 Jurors agree: _____

5 out of 6 Jurors agree:

Print Name of Dissenting Vote: Glen Jones

If you found in Question B that Evan Motelson was wearing his seat belt, do not answer question 16 c, then proceed to question 17.

16 c. If you found in Question B that Evan Motelson was not wearing his seat belt, what percentage of his injuries were a result of the failure to wear a seat belt?

Percentage 100 %

All 6 Jurors agree: _____

5 out of 6 Jurors agree:

Print Name of Dissenting Vote: Glen Jones

Proceed to Question 17 a.

17 a. State the amount of damages awarded to The Estate of BRIAN MOTELSON for the conscious Pain and Suffering, if any, experienced by BRIAN MOTELSON prior to his death.

If you decide not to make an award as to any item, you will insert the word "none" as to that item:

Amount: \$ none

All 6 Jurors agree:

5 out of 6 Jurors agree:

Print Name of Dissenting Vote: Glen Jones

If you found in Question A that Brian Motelson was wearing his seat belt, do not answer question 17 b, then proceed to instructions below.

17 b. If you found in Question A that Brian Motelson was not wearing his seat belt, what percentage of his injuries were a result of the failure to wear a seat belt?

Percentage 100 %

All 6 Jurors agree:

5 out of 6 Jurors agree:

Print Name of Dissenting Vote: Glen Jones

INSTRUCTIONS

If you have answered "yes" to any of the following questions: 4b, 5b, 6b, 7b, 8b, 9b, 10b, 11b, 12b, 13b and 14b, proceed to questions 18 through 26.

18. State the amount of damages awarded to GARY MOTELSON for Pain and Suffering up to the date of your verdict.

Amount: \$ none

All 6 Jurors agree:

5 out of 6 Jurors agree: ✓

Print Name of Dissenting Vote: Glen Jones

Proceed to Question 19.

19. State the amount of future damages, if any, awarded to GARY MOTELSON, for the permanent effect of his injuries, the pain and suffering, from the time of your verdict to the time that GARY MOTELSON could be expected to live and then state the period of years over which such amount is intended to provide compensation.

If you decide not to make an award, you will insert the word "none."

Amount: \$ none

Number of Years

All 6 Jurors agree:

5 out of 6 Jurors agree: ✓

Print Name of Dissenting Vote: Glen Jones

Proceed to Question 20.

20. State the amount of damages, if any, awarded to GARY MOTELSON, for the costs of future medical treatment, care and medication, from the time of your verdict to the time that GARY MOTELSON could be expected to live and then state the period of years over which such amount is intended to provide compensation.

If you decide not to make an award, you will insert the word "none".

Amount: \$ none

Number of Years _____

All 6 Jurors agree: _____

5 out of 6 Jurors agree:

Print Name of Dissenting Vote: Glen Jones

Proceed to Question 21.

21. State the amount of damages, if any, awarded to ELISSA MOTELSON, for her loss of services, society and affection as a result of her husband GARY MOTELSON's injuries.

If you decide not to make an award, you will insert the word "none."

Amount: \$ none

Number of Years _____

All 6 Jurors agree:

5 out of 6 Jurors agree:

Print Name of Dissenting Vote: _____

Proceed to Question 22.

22. State the amount of damages, if any, awarded to ELISSA MOTELSON and GARY MOTELSON for the loss of services as a result of the injuries to their son, EVAN MOTELSON.

If you decide not to make an award, you will insert the word "none".

Amount: \$ none

Number of Years _____

All 6 Jurors agree:

5 out of 6 Jurors agree:

Print Name of Dissenting Vote: _____

Proceed to Question 23.

25. State the total amount of economic loss, if any, to each of ENID MOTELSON, GARY MOTELSON, MICHAEL MOTELSON and GAYLE LYDELL resulting from STEVEN MOTELSON's death.

If you decide not to make an award as to any item, you will insert the word "none" as to that item.

ENID MOTELSON:

Amount: \$ 5 million

All 6 Jurors agree:

5 out of 6 Jurors agree:

Print Name of Dissenting Vote: _____

GARY MOTELSON:

Amount: \$ none

All 6 Jurors agree:

5 out of 6 Jurors agree:

Print Name of Dissenting Vote: Glen Jones

MICHAEL MOTELSON:

Amount: \$ none

All 6 Jurors agree:

5 out of 6 Jurors agree:

Print Name of Dissenting Vote: _____

GAYLE LYDELL:

Amount: \$ none

All 6 Jurors agree:

5 out of 6 Jurors agree:

Print Name of Dissenting Vote: _____

Proceed to Question 26.

**26. State the amount awarded for the following items of damage, if any, incurred by
The Estate of STEVEN MOTELSON as a result of his death:**

Loss of earnings \$ 1.5 million

All 6 Jurors agree:

5 out of 6 Jurors agree:

Print Name of Dissenting Vote: _____