

Court ETV
AT 6/11/14

VERDICT SHEET

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK: PART 55

-----X
IVAN SWEBERG and LARAINÉ SWEBERG,

Plaintiffs,

Index No. 190017/2013

-against-

CRANE CO., et al.,

Defendants.
-----X

HON. CYNTHIA S. KERN, J.S.C.

NOTE: At least five (5) of the six (6) jurors must agree on the answer to each of the following questions, but it need not be the same five (5) jurors. If there is a dissenting juror to any question the dissenting juror should sign his/her name in the space provided below that question where it states "dissenting juror."

(1) Was plaintiff Ivan Sweberg exposed to asbestos from products used in connection with defendant Crane Co.'s equipment?

Yes X No _____ Dissenting Juror (if any) _____

If your answer to question 1 is "yes," proceed to question 2.

If your answer to question 1 is "no," proceed no further and report your verdict to the Court.

(2) Did defendant Crane Co. fail to exercise reasonable care by not providing an adequate warning to plaintiff Ivan Sweberg about the hazards of exposure to asbestos with respect to the use of its equipment?

Yes X No _____ Dissenting Juror (if any) _____

If your answer to question 2 is "yes," proceed to question 3.

If your answer to question 2 is "no," proceed to question 4.

(3) Was defendant Crane Co.'s failure to warn a substantial contributing factor in causing plaintiff Ivan Sweberg's mesothelioma?

Yes No Dissenting Juror (if any) _____

Proceed to question 4.

(4) Was plaintiff Ivan Sweberg exposed to asbestos from products made, sold, distributed or used in connection with products or equipment of any of the following companies:

AC&S	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
ACE	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Allen-Bradley Co.	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Armstrong World Industries	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Carrier Corp.	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Celotex	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Congoleum	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Cutler Hammer Inc.	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Eagle	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Eagle Picher	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Fibreboard	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
General Electric Co.	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Goulds Pumps	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Graybar	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Ingersoll Rand Co.	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
ITE Circuit Breakers, Inc.	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Johns-Manville	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Kentile Floors	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>

Leviton Manufacturing Co.	Yes <u>X</u>	No <u> </u>
Lightolier	Yes <u>X</u>	No <u> </u>
Murray/Siemens (Bulldog)	Yes <u>X</u>	No <u> </u>
National Gypsum	Yes <u>X</u>	No <u> </u>
Owens-Corning	Yes <u>X</u>	No <u> </u>
Peerless Industries, Inc.	Yes <u>X</u>	No <u> </u>
Riley Stoker	Yes <u>X</u>	No <u> </u>
Square D Co.	Yes <u>X</u>	No <u> </u>
Trane	Yes <u>X</u>	No <u> </u>
U.S. Gypsum	Yes <u>X</u>	No <u> </u>
Weil McLain	Yes <u>X</u>	No <u> </u>
Westinghouse Electric Corp.	Yes <u>X</u>	No <u> </u>

Dissenting Juror (if any) _____

If you answered "Yes" to this question for any of the companies listed, proceed to question 5. However, before you proceed to question 5, if you answered "No" to question 4 for any company, strike that company from the list for questions 5, 6 and 7.

If you answered "No" for ALL the companies above, proceed to question 8.

(5) Did any of the following companies fail to exercise reasonable care by not providing adequate warning to plaintiff Ivan Sweberg about the potential hazards of exposure to asbestos?

AC&S	Yes <u>X</u>	No <u> </u>
ACE	Yes <u>X</u>	No <u> </u>
Allen-Bradley Co.	Yes <u>X</u>	No <u> </u>
Armstrong World Industries	Yes <u>X</u>	No <u> </u>
Carrier Corp.	Yes <u>X</u>	No <u> </u>

Celotex	Yes <u>X</u>	No <u> </u>
Congoleum	Yes <u>X</u>	No <u> </u>
Cutler Hammer Inc.	Yes <u>X</u>	No <u> </u>
Eagle	Yes <u>X</u>	No <u> </u>
Eagle Picher	Yes <u>X</u>	No <u> </u>
Fibreboard	Yes <u>X</u>	No <u> </u>
General Electric Co.	Yes <u>X</u>	No <u> </u>
Goulds Pumps	Yes <u>X</u>	No <u> </u>
Graybar	Yes <u>X</u>	No <u> </u>
Ingersoll Rand Co.	Yes <u>X</u>	No <u> </u>
ITE Circuit Breakers, Inc.	Yes <u>X</u>	No <u> </u>
Johns-Manville	Yes <u>X</u>	No <u> </u>
Kentile Floors	Yes <u>X</u>	No <u> </u>
Leviton Manufacturing Co.	Yes <u>X</u>	No <u> </u>
Lightolier	Yes <u>X</u>	No <u> </u>
Murray/Siemens (Bulldog)	Yes <u>X</u>	No <u> </u>
National Gypsum	Yes <u>X</u>	No <u> </u>
Owens-Corning	Yes <u>X</u>	No <u> </u>
Peerless Industries, Inc.	Yes <u>X</u>	No <u> </u>
Riley Stoker	Yes <u>X</u>	No <u> </u>
Square D Co.	Yes <u>X</u>	No <u> </u>
Trane	Yes <u>X</u>	No <u> </u>
U.S. Gypsum	Yes <u>X</u>	No <u> </u>
Weil McLain	Yes <u>X</u>	No <u> </u>
Westinghouse Electric Corp.	Yes <u>X</u>	No <u> </u>

Dissenting Juror (if any) _____

If you answered "Yes" to this question for any of the companies listed, proceed to question 6. However, before you proceed to question 6, if you answered "No" to question 5 for any company, strike that company from the list for questions 6 and 7.

If you answered "No" for ALL the companies above, proceed to question 8.

(6) Was any of the following companies' failure to warn a substantial factor in causing plaintiff Ivan Sweberg's mesothelioma?

AC&S	Yes <u>X</u>	No <u> </u>
ACE	Yes <u>X</u>	No <u> </u>
Allen-Bradley Co.	Yes <u>X</u>	No <u> </u>
Armstrong World Industries	Yes <u>X</u>	No <u> </u>
Carrier Corp.	Yes <u>X</u>	No <u> </u>
Celotex	Yes <u>X</u>	No <u> </u>
Congoleum	Yes <u>X</u>	No <u> </u>
Cutler Hammer Inc.	Yes <u>X</u>	No <u> </u>
Eagle	Yes <u>X</u>	No <u> </u>
Eagle Picher	Yes <u>X</u>	No <u> </u>
Fibreboard	Yes <u>X</u>	No <u> </u>
General Electric Co.	Yes <u>X</u>	No <u> </u>
Goulds Pumps	Yes <u>X</u>	No <u> </u>
Graybar	Yes <u>X</u>	No <u> </u>
Ingersoll Rand Co.	Yes <u>X</u>	No <u> </u>
ITE Circuit Breakers, Inc.	Yes <u>X</u>	No <u> </u>
Johns-Manville	Yes <u>X</u>	No <u> </u>
Kentile Floors	Yes <u>X</u>	No <u> </u>

Leviton Manufacturing Co.	Yes <u>X</u>	No <u> </u>
Lightolier	Yes <u>X</u>	No <u> </u>
Murray/Siemens (Bulldog)	Yes <u>X</u>	No <u> </u>
National Gypsum	Yes <u>X</u>	No <u> </u>
Owens-Corning	Yes <u>X</u>	No <u> </u>
Peerless Industries, Inc.	Yes <u>X</u>	No <u> </u>
Riley Stoker	Yes <u>X</u>	No <u> </u>
Square D Co.	Yes <u>X</u>	No <u> </u>
Trane	Yes <u>X</u>	No <u> </u>
U.S. Gypsum	Yes <u>X</u>	No <u> </u>
Weil McLain	Yes <u>X</u>	No <u> </u>
Westinghouse Electric Corp.	Yes <u>X</u>	No <u> </u>

Dissenting Juror (if any) _____

If you answered "Yes" to this question for any of the companies listed, proceed to question 7. However, before you proceed to question 7, if you answered "No" to question 6 for any company, strike that company from the list for question 7.

If you answered "No" for ALL the companies above, proceed to question 8.

(7) List the percentage of responsibility that is attributable to each of the companies listed below for causing plaintiff Ivan Sweberg mesothelioma. Your answer must total 100%.

AC&S	<u> 1 </u> %
ACE	<u> 1 </u> %
Allen-Bradley Co.	<u> 3 </u> %
Armstrong World Industries	<u> 1 </u> %
Carrier Corp.	<u> 1 </u> %

Celotex	<u>1</u> %
Crane Co.	<u>9</u> %
Congoleum	<u>1</u> %
Cutler Hammer Inc.	<u>4</u> %
Eagle	<u>3</u> %
Eagle Picher	<u>5</u> %
Fibreboard	<u>2</u> %
General Electric Co.	<u>4</u> %
Goulds Pumps	<u>3</u> %
Graybar	<u>3</u> %
Ingersoll Rand Co.	<u>3</u> %
ITE Circuit Breakers, Inc.	<u>4</u> %
Johns-Manville	<u>7</u> %
Kentile Floors	<u>2</u> %
Leviton Manufacturing Co.	<u>3</u> %
Lightolier	<u>2</u> %
Murray/Siemens (Bulldog)	<u>5</u> %
National Gypsum	<u>4</u> %
Owens-Corning	<u>5</u> %
Peerless Industries, Inc.	<u>3</u> %
Riley Stoker	<u>3</u> %
Square D Co.	<u>5</u> %
Trane	<u>1</u> %
U.S. Gypsum	<u>4</u> %
Weil McLain	<u>3</u> %
Westinghouse Electric Corp.	<u>4</u> %

Total: 100 %

Dissenting Juror (if any) _____

Proceed to question 8.

(8) State the total amount of damages, if any, awarded to plaintiff Ivan Sweberg for each of the following:

(A) Past pain and suffering from the onset of his Mesothelioma to the date of your verdict:

\$ 5,000,000. Dissenting Juror (if any) _____

(B) Future pain and suffering:

\$ 10,000,000. Dissenting Juror (if any) _____

Number of years said sum is meant to cover: 1.5 year(s)

Dissenting Juror (if any) _____

Proceed to question 9.

(9) Did defendant Crane Co. act with reckless disregard for the safety of others, namely plaintiff Ivan Sweberg?

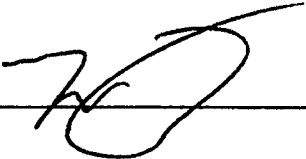
Yes No Dissenting Juror (if any) _____

Sign the verdict sheet and report your verdict to the court.

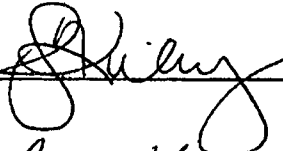
The above represents a correct report of the Jury's verdict.

Juror 1 *Paul Amersbach* Juror 2 *Demitt Callaway*

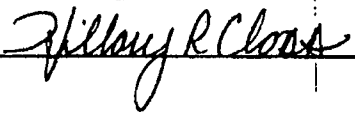
Juror 3



Juror 4



Juror 5



Juror 6

