

Exhibit B to Shapey Affirmation -
Verdict Sheet, dated August 7, 2015
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Verdict 8/10/15

SUPREME COURT - PART 50
COUNTY OF SUFFOLK - STATE OF NEW YORK

Court exhibit VI
CA-8-7-15

PRESENT

HON. ANDREW G. TARANTINO, JR.

-----x
WALTER GARCIA,

Index No. 8020/2011

Plaintiff(s),

-against-

VERDICT SHEET

CPS 1 REALTY LP, CPS 1 LLC, CPS 1 REALTY GP
LLC, EL-AD PROPERTIES NY LLC, EL-AD 52 LLC,
THE EL-AD GROUP LTD., 49 EAST 21 LLC,
FAIRMONT HOTEL MANAGEMENT LP and
TISHMAN CONSTRUCTION CORPORATION OF NEW
YORK,

August 7th, 2015

Defendant(s).
-----x

QUESTION 1

Was the accident on May 2nd, 2006 a proximate cause in causing inguinal hernia
alleged by Plaintiff, Walter Garcia?

At least five jurors must agree on the answer to this question.

YES	NO
Lauren Kent	_____
Sara Demalderis	_____
Andrew Prince	_____
Erika Smith	_____
John Sabean	_____
Pamela Beck	_____

Proceed to Question 2.

Verdict 1/10/15

QUESTION 2

Was the accident on May 2nd, 2006 a proximate cause in causing lumbar spine injury alleged by Plaintiff, Walter Garcia?

At least five jurors must agree on the answer to this question.

YES

NO

Andrew Prince

Lauren C. Kent

Sara Demalderis

Pamela Beck

ERIKA SMITH

John Sabean

If you answered "Yes" to Question 1 or 2, Proceed to Question 3.

If you answered "No" to both Question 1 and 2, STOP. The Foreperson signs the last page and notifies the Court.

QUESTION 3

DAMAGES

Taking into consideration the period of time between the date of the accident and the date of the verdict, state the amount awarded, if any, in favor of the Plaintiff, Walter Garcia, for the following:

Conscious pain and suffering and loss of enjoyment of life:	\$ <u>1,200,000.</u>
Loss of Earnings:	\$ <u>556,000.</u>
Loss in employer funding of annuity:	\$ <u>77,800.</u>

If you decide not to make an award as to any of the above items, you will insert the word "NONE" in the space provided.

At least five jurors must agree on the answer to this question.

YES

NO

Erika Smith

Pamela Beck

John Sabean

Lauren Kent

Sera De malderris

Andree Prince

Go to Next Question.

QUESTION 4

Taking into consideration the period of time from the date of the verdict to the time the Plaintiff is expected to live, state the amount awarded, if any, to the Plaintiff, Walter Garcia for each item, and state the number of years over which such amounts are intended to provide compensation:

Conscious pain and suffering and loss of enjoyment of life: \$ 3,000,000 23 years

Medical Expenses:

- 1. Future cost of therapeutic evaluations and care: \$ 143,000. 23 years
2. Future cost of Medical Care: \$ 16,000. 23 years
3. Future cost of Medications: \$ 23,000. 23 years
4. Future cost for Aids: \$ 150. 23 years
5. Future costs for Homemaker services: \$ 100,000. 23 years

Future Loss of Earnings and Benefits:

- 1. Future loss of income: \$ 720,000. 10 years
2. Future loss of employer funding of annuity: \$ 49,400. 10 years
3. Future loss of social security retirement income: \$ 123,000. 10 years

If you decide not to make an award as to any of the above items, you will insert the word "NONE" in the space provided

At least five jurors must agree on the answer to this question.

YES

NO

Lauren Kent

Andrew Prince

Sara Demalderis

John Sabean

ERIKA SMITH

PAMELA Beck

Report your verdict to the Court

Lauren C. Kent
Foreperson signature

Date: August 10, 2015