

A-1810

EXHIBIT C TO SAPPE AFFIRMATION -
VERDICT SHEET [A-1810 - A-1812]

FILED: BRONX COUNTY CLERK 06/12/2020 02:04 PM
NYSCEF DOC. NO. 97

INDEX NO. 24491/2014E
RECEIVED NYSCEF 06/12/2020

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF BRONX, I.A.S. PART 2
AUDREY A. APPELYARD,

Plaintiff,

Index No. 24491/14

-against-

VERDICT SHEET

Present:
HON. ELIZABETH A. TAYLOR

RUSSELL G. TIGGES and ORTHOPEDIC
ASSOCIATES OF DUTCHESS COUNTY, P.C.,
Defendants.

The foreperson shall enter the number of "YES" or "NO" votes in the appropriate space below. As you have been instructed, the votes must be either 6-0 or 5-1 to reach a verdict. All jurors must sign their names at the end of the verdict sheet.

1. Did Daniel Caputo depart from accepted practice on August 26, 2012?

Yes X No _____ VOTE: 6-0 X or 5-1 _____

If you answered "YES" to question #1, then proceed to question #2.

If you answered "NO" to question #1, then proceed no further and return your verdict.

2. Was Daniel Caputo's departure from accepted practice a substantial factor in causing plaintiff Audrey Appleyard's injuries?

Yes X No _____ VOTE: 6-0 _____ or 5-1 X

If you answered "YES" to question #2, then proceed to question #3.

If you answered "NO" to question #2, then proceed no further and return your verdict.

3. Did Dr. Stuart Feinstein depart from accepted practice?

Yes _____ No X VOTE: 6-0 _____ or 5-1 X

If you answered "YES" to question #3, then proceed to question #4.

If you answered "NO" to question #3, then proceed to question #6.

4. Was Dr. Stuart Feinstein's departure from accepted practice a substantial factor in causing plaintiff Audrey Appleyard's injuries?

Yes _____ No _____ VOTE: 6-0 _____ or 5-1 _____

If you answered "Yes" to question #4, then proceed to question #5.

If you answered "No" to question #4, then proceed to question #6.

5. What was the percentage of fault of Daniel Caputo and what was the percentage of fault of Dr. Stuart Feinstein?

Daniel Caputo: _____ %

Dr. Stuart Feinstein: _____ %

Total: 100 %

Proceed to question #6.

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6. What amount of damages, resulting from the departure from accepted practice, will fairly and justly compensate plaintiff Audrey A. Appleyard for pain and suffering from August 26, 2012 through October 19, 2012?

\$ 3 million VOTE: 6-0 _____ or 5-1 X

THE FOREGOING IS A TRUE AND CORRECT REPORT OF THE JURY'S VERDICT
(ALL JURORS MUST SIGN BELOW)

1. _____

2. _____

3. _____

4. _____

5. _____

6. _____

Date: _____

Return your verdict.