



SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK: IA PART 1

-----X
IN RE: NEW YORK CITY ASBESTOS
LITIGATION

-----X
RALPH P. NORTH,

Index No.: 190114/13

Plaintiff,

-against-

**PROPOSED
VERDICT SHEET**

AIR & LIQUID SYSTEMS CORPORATION, as
Successor by Merger to Buffalo Pumps,
Inc., et al.,

Defendants.

-----X
NOTE: At least five (5) jurors must agree on the answer to each question, but the same five (5) jurors do not have to agree on each answer.

JURORS, PLEASE NOTE: Answer the following questions in order beginning with Question "1." Follow the instructions at the end of each question.

Questions For The Jury:

1a. Was plaintiff Ralph North (Plaintiff) exposed to asbestos at Long Island Lighting Company's (LILCO) Northport Power Station (Northport)?

✓ _____ YES	_____ NO
1. <u>Bo Vace</u>	2. <u>Maureen [Signature]</u>
3. <u>R. [Signature]</u>	4. <u>John [Signature]</u>
5. <u>James [Signature]</u>	6. <u>Anne [Signature]</u>

DISSENTING JUROR, if any: _____

If you answered "Yes," proceed to Question 1b.
If you answered "No," please stop and report your verdict to the court.

1b. Did LILCO exercise supervisory control over work of contractors which exposed Plaintiff to asbestos dust at Northport?

✓

YES	NO
1. <u>Rob Van</u>	2. <u>Maurice Lutz</u>
3. James J. ...	4. <u>James J. ...</u>
5. <u>James Hall</u>	6. <u>George Haller</u>

DISSENTING JUROR, if any: RE Holdip

If you answered "Yes," proceed to Question 1c.
If you answered "No," proceed to Question 2a.

1c. Did LILCO fail to exercise reasonable care when it exercised supervisory control over work of contractors which exposed Plaintiff to asbestos dust at Northport?

✓

YES	NO
1. <u>Rob Van</u>	2. <u>Maurice Lutz</u>
3. <u>James Hall</u>	4. <u>James J. ...</u>
5. <u>James Hall</u>	6. <u>George Haller</u>

DISSENTING JUROR, if any: RE Holdip

If you answered "Yes," proceed to Question 1d.
If you answered "No," proceed to Question 2a.

1d. Was LILCO's failure to exercise reasonable care in its exercise of supervisory control over work of contractors which exposed Plaintiff to asbestos dust at Northport a substantial factor in causing Plaintiff's mesothelioma?

1

YES	NO
1. <u>Jo Van</u>	2. <u>Matt [Signature]</u>
3. _____	4. <u>Sum Jaur</u>
5. <u>Tom Hall</u>	6. <u>Ann Sheller</u>

DISSENTING JUROR, if any: RE [Signature]

If you answered "Yes," proceed to Question 2a.
 If you answered "No," still proceed to Question 2a.

2a. Did LILCO have actual or constructive notice of, or create, an unsafe condition at Northport?

✓

YES	NO
1. <u>Jo Van</u>	2. <u>Matt [Signature]</u>
3. _____	4. <u>Sum Jaur</u>
5. <u>Tom Hall</u>	6. <u>Ann Sheller</u>

DISSENTING JUROR, if any: RE [Signature]

If you answered "Yes," proceed to Question 2b. If you answered "No," and previously answered "No" to Questions 1b, 1c or 1d, please stop and report your verdict to the court.

2b. Did LILCO fail to exercise reasonable care to correct the unsafe condition at Northport?

✓

YES	NO
-----	----

1. John 2. Mark Ruff
 3. _____ 4. Sam Jacob
 5. Janial Ballin 6. Anne Skollar

DISSENTING JUROR, if any: REX HODGINS

If you answered "Yes," proceed to Question 2c. If you answered "No," and previously answered "No" to Questions 1b, 1c or 1d, please stop and report your verdict to the court.

2c. Was LILCO's failure to exercise reasonable care to correct the unsafe condition at Northport a substantial factor in causing Plaintiff's mesothelioma?

- ✓
 YES NO
 1. John 2. Mark Ruff
 3. _____ 4. Sam Jacob
 5. Janial Ballin 6. Anne Skollar

DISSENTING JUROR, if any: REX HODGINS

If you answered "Yes," proceed to Question 3. If you answered "No," and previously answered "No" to Questions 1b, 1c or 1d, please stop and report your verdict to the court.

3. Did LILCO act with reckless disregard for the safety of Plaintiff and others at Northport?

✓
 YES

NO

1. Paul Van 2. Matthew Ruff
 3. ~~Paul Van~~ 4. John Jacob
 5. Tom Miller 6. Anna Skollar

DISSENTING JUROR, if any: REKordy

Whether you answered "Yes" or "No", proceed to Question 4a.

4a. Was Plaintiff exposed to asbestos from products made, sold, distributed or used in connection with products or equipment of any of the following companies:

- | | | |
|--------------------------------|---|--|
| The Babcox & Wilcox Co. | Yes | No <input checked="" type="checkbox"/> |
| Calsilite Corp. | Yes <input checked="" type="checkbox"/> | No _____ |
| Combustion Engineering, Inc. | Yes <input checked="" type="checkbox"/> | No _____ |
| Johns-Manville Corp. | Yes <input checked="" type="checkbox"/> | No _____ |
| King Insulation Company Inc. | Yes _____ | No <input checked="" type="checkbox"/> |
| Owens-Corning Fibreglass Corp. | Yes <input checked="" type="checkbox"/> | No _____ |
| Owens-Illinois, Inc. | Yes _____ | No <input checked="" type="checkbox"/> |
| Pittsburgh-Corning Corp. | Yes _____ | No <input checked="" type="checkbox"/> |
| U.S. Gypsum Co. | Yes _____ | No <input checked="" type="checkbox"/> |
| Robert A Keasbey Inc. | Yes <input checked="" type="checkbox"/> | No _____ |
| Thomas O'Connor, Inc. | Yes <input checked="" type="checkbox"/> | No _____ |
| Burns and Roe, Inc. | Yes _____ | NO <input checked="" type="checkbox"/> |

1. John Van
2. Matthew
3. Robert
4. John Davis
5. James Hall
6. Arne Thallan

DISSENTING JUROR, if any: _____

If you answered "Yes" with respect to any of these companies listed in Question 4a, proceed to Question 4b. Otherwise, please proceed to Question 5.

4b. BEFORE ANSWERING QUESTION 4b, CROSS OUT THE NAME OF EACH COMPANY LISTED BELOW FOR WHICH YOU ANSWERED "NO" IN QUESTION 4a.

Did any of the following companies fail to exercise reasonable care by not providing an adequate warning to Plaintiff about the potential hazards of exposure to asbestos from products, made, sold, distributed or used in connection with its products or equipment?

- ~~The Babcock & Wilcox Co.~~ Yes No
- Calsilite Corp. Yes No
- Johns-Manville Corp. Yes No
- Owens-Corning Fibreglass Corp. Yes No
- ~~Owens Illinois, Inc.~~ Yes No
- ~~Pittsburgh-Corning Corp.~~ Yes No
- ~~U.S. Gypsum Co.~~ Yes No

1. John Van
2. Matthew
3. Robert
4. John Davis
5. James Hall
6. Arne Thallan

DISSENTING JUROR, if any:

R. E. Hardy

4c. BEFORE ANSWERING QUESTION 4c, CROSS OUT THE NAME OF EACH COMPANY LISTED BELOW FOR WHICH YOU ANSWERED "NO" IN QUESTION 4a OR 4b.

4c. Was the failure of any of these companies to provide an adequate warning a substantial factor in causing Plaintiff's mesothelioma?

~~The Babcock & Wilcox Co.~~ Yes _____ No

Calsilite Corp. Yes _____ No

~~Johns Manville Corp.~~ Yes _____ No

~~Owens Corning Fibreglass Corp.~~ Yes _____ No _____

~~Owens Illinois, Inc.~~ Yes _____ No _____

~~Pittsburgh Corning Corp.~~ Yes _____ No _____

~~U.S. Gypsum Co.~~ Yes _____ No _____

1. [Signature] 2. [Signature]

3. _____ 4. [Signature]

5. [Signature] 6. [Signature]

DISSENTING JUROR, if any:

R. E. Hardy

Proceed to question 4d.

4d Did any of the following contractor-companies fail to exercise reasonable care in the use and/or manipulation of asbestos containing products to which Plaintiff was exposed?

Combustion Engineering, Inc. Yes No _____

Robert A Keasbey Inc. Yes No

Thomas G'Connor, Inc. Yes No

Burns and Roe, Inc. Yes No

King Insulation Company Inc. Yes No

- 1. Go Vacc 2. Matthew Ruff
- 3. R E Hoddy 4. Jim Davis
- 5. James Hall 6. Arac Shollar

DISSENTING JUROR, if any: _____

4e. BEFORE ANSWERING QUESTION 4e, CROSS OUT THE NAME OF EACH COMPANY LISTED BELOW FOR WHICH YOU ANSWERED "NO" IN QUESTION 4d.

4e. Was these companies' failure to exercise reasonable care in the use and/or manipulation of asbestos containing products a substantial factor in causing Plaintiff's mesothelioma?

Combustion Engineering, Inc. Yes No

Robert A Keasbey Inc. Yes No

Thomas G'Connor, Inc. Yes No

~~Burns and Roe, Inc. Yes No~~

~~King Insulation Company Inc. Yes No~~

- 1. Go Vacc 2. Matthew Ruff
- 3. _____ 4. Jim Davis
- 5. James Hall 6. Arac Shollar

DISSENTING JUROR, if any: R E Hoddy

4f. BEFORE ANSWERING QUESTION 4f, CROSS OUT THE NAME OF EACH COMPANY LISTED BELOW FOR WHICH YOU ANSWERED "NO" IN QUESTION 4b, 4c, 4d and/or 4e.

4f. For each of the companies listed below, set forth its percentage of fault. The total percentage must equal 100 percent.

LILCO	<u>100%</u>
The Babcock & Wilcox Co.	_____
Calceolite Corp.	_____
Combustion Engineering, Inc.	_____
Johns-Manville Corp.	_____
King Insulation Company Inc.	_____
Owens-Corning Fibreglass Corp.	_____
Owens-Illinois, Inc.	_____
Pittsburgh Corning Corp.	_____
U.S. Gypsum Co.	_____
Robert A. Keasbey Inc.	_____
Thomas G. Connor, Inc.	_____
Burns and Roe, Inc.	_____

TOTAL MUST EQUAL 100%

1. G. Mac 2. Walter King
 3. _____ 4. John Jones
 5. Tom Hall 6. Anna Shollar

DISSENTING JUROR, if any: P. E. Hordig

Proceed to Question 5.

5. As to those injuries that you have found were sustained by Plaintiff as a result of the actions of LILCO and other companies, if any, state the total amount of damages, if any, from the onset of plaintiff's symptoms of his mesothelioma to the date of this verdict.

Past pain and suffering: \$ 3.5 million

1. G. Mac 2. Walter King
 3. _____ 4. John Jones
 5. Tom Hall 6. Anna Shollar

DISSENTING JUROR, if any: P. E. Hordig

Proceed to Question 6.

6. As to the injuries that you have found will be sustained by Plaintiff as a result of the actions of LILCO and other companies, if any, state the total amount of damages, if any, from the date of this verdict up to the time Plaintiff is expected to live.

Future pain and suffering: \$ 3.5 million

1. [Signature]
2. [Signature]
3. _____
4. [Signature]
5. [Signature]
6. [Signature]

DISSENTING JUROR, if any: ~~None~~

[Signature]

WE, THE UNDERSIGNED JURORS IN THIS ACTION, CONCUR AND ANSWER THE ABOVE QUESTIONS IN ACCORDANCE WITH THE INSTRUCTIONS OF THIS COURT AND REPORT OUR VERDICT AS STATED ABOVE. AT LEAST FIVE (5) JURORS HAVE AGREED ON THE ANSWER TO EACH QUESTION

1. [Signature]
2. [Signature]
3. [Signature]
4. [Signature]
5. [Signature]
6. [Signature]

YOU HAVE REACHED YOUR VERDICT. REPORT YOUR FINDINGS TO THE COURT.

DATED: September 29, 2014