

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION

PENTHOUSE OWNERS ASSOC., INC.	§	PLAINTIFF
	§	
v.	§	Civil No. 1:07CV568-HSO-RHW
	§	
CERTAIN UNDERWRITERS AT LLOYD'S, LONDON	§	DEFENDANT

SPECIAL VERDICT FORM

PART I

Question Number One:

Do you find, by a preponderance of the evidence, that Penthouse's condominium complex buildings, which were insured with Underwriters, suffered some damage during Hurricane Katrina caused by wind acting independently?

Yes

No

If you answer "Yes," please proceed to Question Number Two.

If you answer "No," please proceed to Part II on Page 4.

Question Number Two:

We, the Jury, find by a preponderance of the evidence that Penthouse's three buildings insured with Underwriters had an actual cash value at the time of Hurricane Katrina on August 29, 2005, as follows:

(Please answer in dollars and cents.)

- A. Building 1 ("storage building") had an actual cash value of
\$ 17,500.00.
- B. Building 2 ("condominium buildings," or the three main buildings in a horseshoe or "U" shape) had an actual cash value of
\$ 7,525,891.00.
- C. Building 3 ("pool house" or "recreation center") had an actual cash value of \$ 73,515.00.

Please proceed to Question Number Three.

Question Number Three:

We, the Jury, find by a preponderance of the evidence that the damages, in terms of actual cash value at the time of Hurricane Katrina, caused by wind acting independently which were suffered by Penthouse as to each of the three buildings, were as follows:

(Please answer in dollars and cents, if any, or write "none." Your answer for each building may not exceed the actual cash value you assigned that building in Question Number Two.)

- A. Damage to Building 1 ("storage building") caused by wind acting independently was \$ 17,500.00.
- B. Damage to Building 2 ("condominium buildings," or the three main buildings in a horseshoe or "U" shape) caused by wind acting independently was \$ 1,982,445.10.
- C. Damage to Building 3 ("pool house" or "recreation center") caused by wind acting independently was \$ 11,757.10.

Please proceed to Part II on Page 4.

PART II

FINALIZATION OF THE VERDICT FORM

Please complete the following information:

2-24-2011

Dated

Foreperson

Juror

Juror

Juror

Juror

Juror

Juror