

IN THE CIRCUIT OF JEFFERSON COUNTY, MISSISSIPPI

JAMES RAY MCMANUS

PLAINTIFF

V.

CIVIL ACTION NO. 2006-20

PHILLIPS 66 Co., et al.

DEFENDANT

SPECIAL VERDICT FORM

We, the jury in the above entitled action, find the following Special Verdict on the questions submitted to us:

No. 1: Do nine or more of you find that Plaintiff, James Ray McManus, proved by a preponderance of the evidence that he has asbestosis?

YES:  NO:

[If you answered YES, please proceed to Question No. 2]

No. 2: Do nine (9) or more of you find in favor of the Plaintiff as to his design defect claim against Union Carbide?

Answer: YES:  NO:

[Please proceed to the next question]

No. 3: Do nine (9) or more of you find in favor of the Plaintiff as to his failure to warn claim against Union Carbide?

Answer: YES:  NO:

[If you answer YES as to any Defendant for either Question No. 2 or No. 3, then proceed to Question No. 4]

No. 4: Do nine (9) or more of you find in favor of the Plaintiff as to his fear of cancer claim for emotional distress against Union Carbide?

Answer: YES:  NO:

[Please proceed to the next question]

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FEB 24 2016

ARNELL HARRIED, Circuit Clerk

*[Signature]* D.C.

**No. 5: What do you find to be the total amount of damages, including economic and non-economic damages, if any, to be awarded to Plaintiff as proven by a preponderance of the evidence?**

Answer:	Economic	\$	<u>36,000</u>
	Non-Economic	\$	<u>800,000</u>
	Total:	\$	<u>836,000</u>

[Please proceed to Question No. 6]

**No. 6: 100% represents the total causes of the plaintiff's injury. Please assess the appropriate percentage of fault to the parties and entities identified below, following the instructions provided by the Court and based upon the preponderance of the evidence presented to you. You may place a ZERO next to any entity:**

Answer:	
UNION CARBIDE	<u>60</u> %
JAMES RAY MCMANUS	<u>15</u> %
EMPLOYERS of James Ray McManus	<u>0</u> %
OTHERS (for example Montello, Flosal, etc.)	<u>25</u> %
TOTAL	<u>100</u> % (SHOULD EQUAL 100)

IN THE CIRCUIT COURT OF JEFFERSON COUNTY, MISSISSIPPI

JAMES RAY MCMANUS

PLAINTIFF

VS.

CIVIL ACTION NO. 2006-20

PHILLIPS 66 COMPANY, ET AL.

DEFENDANTS

P4

We, the jury in the above entitled action, find the following Special Verdict on the issue of punitive damages:

No. 1: Do nine (9) or more of you find that Plaintiff proved by clear and convincing evidence that an additional award of punitive damages should be assessed against the defendant and awarded to the plaintiff based on the instructions provided to you by the Court?

Answer: YES  NO

[If your answer to Question No. 1 was NO, please return this form to the bailiff. If your answer to Question No. 1 was YES, please proceed to Question No. 2.]

No. 2: What do you nine (9) or more of you find to be the total amount of punitive damages to be assessed to the defendant, if any?

\$ 200,000

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FEB 24 2016  
ARNELL HARRIED/Circuit Clerk  
BY [Signature] D.C.