

COMMONWEALTH OF MASSACHUSETTS

HAMPDEN, S.S.

SUPERIOR COURT
C.A. NO. 12-448

ALBERT R. DUBUQUE, JR.,
EXECUTOR OF THE ESTATE OF
KIMMY A. DUBUQUE,

Plaintiff,

v.

CUMBERLAND FARMS, INC. and
V.S.H. REALTY, INC.,

Defendants.

SPECIAL VERDICT FORM

1. Do you find by a preponderance of the evidence that Cumberland Farms, Inc. negligent?

10 Yes 2 No

If your answer to Question Number 1 was "yes," please proceed to Question Number 2.

If your answer to Question Number 1 was "no," stop, sign the verdict slip and return to the Courtroom.

2. Do you find by a preponderance of the evidence that Cumberland Farms, Inc.'s negligence was a substantial contributing factor in Mrs. Dubuque's death?

11 Yes 1 No

If your answer to Question Number 2 was "yes," please proceed to Question Number 3.

If your answer to Question Number 2 was "no", stop, sign the verdict slip and return to the Courtroom.

3. Please state the amount of money, in numbers and in words, you would find would fairly and adequately compensate Mr. Dubuque as Executor of the Estate of Kimmy Dubuque.

\$ 32,369,024.30
(AMOUNT IN NUMBERS)

\$ Thirty-two million, three hundred sixty-nine thousand,
(AMOUNT IN WORDS) twenty-four dollars and 30 cents.

4. Do you find by a preponderance of the evidence that Cumberland Farms, Inc.'s conduct constituted gross negligence or willful, wanton, or reckless conduct?

11 Yes 1 No

If your answer to Question Number 4 was "yes," please proceed to Question Number 5.

If your answer to Question Number 4 was "no", stop, sign the verdict slip and return to the Courtroom.

5. In the circumstances of this case, what amount of money is fair and reasonable as punitive damages against Cumberland Farms, Inc. for its gross negligence or willful, wanton, or reckless conduct?

\$ 10
(AMOUNT IN NUMBERS)

\$ Ten dollars
(AMOUNT IN WORDS)

The Jury Foreperson shall sign and date this form and advise the Court Officer that you have reached a verdict.

Date: 2/23/16

Margaret Kutschmar #61
FOREPERSON