

IN THE STATE COURT OF FULTON COUNTY  
STATE OF GEORGIA

EFRAIN HILARIO and GABINA MARTINEZ )  
FLORES, as Surviving Parents of Erik Hilario, )  
And ROGER KIRSCHENBAUM, as the )  
Administrator of the Estate of Erick Hilario, )  
Plaintiffs, )  
v. )  
NEWELL RECYCLING OF ATLANTA, INC., )  
Defendant. )  
\_\_\_\_\_ )

CIVIL ACTION FILE  
NO. 2012EV015400-J

VERDICT  
Part I - Employment

We, the Jury, find that Erik Hilario was an employee of the following (check ONE only):

- (a) \_\_\_\_\_ Newell Recycling of Atlanta, Inc. (Defendant)
- (b)  Newell Recycling, LLC
- (c) \_\_\_\_\_ Newell Recycling of Atlanta Inc. (Defendant) and Newell Recycling, LLC

9/2/15  
DATE \_\_\_\_\_

*W. B. Meier*  
FOREPERSON \_\_\_\_\_

Proceed to Part II ONLY if you found (b) above. If you found (a) or (c), STOP, sign and date the form; your verdict is complete.

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Defendant. )

VERDICT  
Part II -Liability

As to Plaintiffs' claims (check any that apply):

(a)  We, the Jury, find for the Plaintiffs as to the claim of **Products Liability -  
Negligent Design**

OR

We, the Jury, find for the Defendant.

(b)  We, the Jury, find for the Plaintiffs as to the claim of **Products Liability -  
Failure to Warn**

OR

We, the Jury, find for the Defendant.

(c) XX We, the Jury, find for the Plaintiffs as to the claim of **Premises Liability.**  
**(Defendant has admitted liability and causation for this claim)**

DATE

9/2/15

FOREPERSON

*W. Blum*

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Defendant. )  
\_\_\_\_\_ )

VERDICT  
Part III- Damages

Having found for the Plaintiffs on one or more of their claims, we the jury award damages as follows:

(1) To the ESTATE OF ERIK HILARIO in the amount of \$ 8.25 million for conscious pain and suffering

(2) To EFRAIN HILARIO and GABINA MARTINEZ FLORES in the amount of \$ 21 million for wrongful death.

9/2/15  
DATE

WBHui  
FOREPERSON

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\_\_\_\_\_ )

VERDICT  
Part IV- Apportionment

Having found for the Plaintiffs, above, complete the following:

We, the Jury, hereby find that the percentages of fault to be apportioned between the parties and non-parties are as follows:

100 % - Newell Recycling of Atlanta, Inc. (Defendant)

\_\_\_\_\_ % - Newell Recycling, LLC/Anthony Eady

(% total should equal 100%)

9/2/15  
DATE

WB Miller  
FOREPERSON

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\_\_\_\_\_ )

VERDICT  
Part V - Punitive Damages

As to Plaintiffs' claim for punitive damages against Defendant, we, the jury, find that circumstances warrant an award of punitive damages.

OR

\_\_\_\_\_ We, the jury, find that punitive damages are not warranted and find for the Defendant.

9/2/15  
DATE

  
FOREPERSON