

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE  
MIDDLE DISTRICT OF ALABAMA, NORTHERN DIVISION

CARTER BROTHERS )  
MANUFACTURING COMPANY, )  
INC., )

Plaintiff, )

v. )

LUMBERMEN'S UNDERWRITING )  
ALLIANCE, an Inter- )  
insurance Exchange Company, )

Defendant and Third- )  
Party Plaintiff, )

v. )

GE COMMERCIAL DISTRIBUTION )  
FINANCE CORP., et al., )

Third-Party Defendants.)

CIVIL ACTION NO.  
2:11cv251-MHT  
(WO)

JUDGMENT

On the 31st day of August, 2012, after this cause had  
been submitted to a jury, a verdict was returned as  
follows:

VERDICT

PART I

1. Has Lumbermen's Underwriting Alliance proved its non-cooperation contention by a preponderance of the evidence?

Yes \_\_\_\_\_  
No   X  

2. Has Lumbermen's Underwriting Alliance proved its misrepresentation contention by a preponderance of the evidence?

Yes \_\_\_\_\_  
No   X  

3. Has Lumbermen's Underwriting Alliance proved its arson contention by a preponderance of the evidence?

Yes \_\_\_\_\_  
No   X  

4. Has Carter Brothers Manufacturing Company, Inc. proved its breach of contract contention by a preponderance of the evidence?

Yes   X    
No \_\_\_\_\_

PART II

If you answered "no" to questions 1, 2 and 3, and you also answered "yes" to question 4, you will have found that Carter Brothers Manufacturing Company, Inc. may recover from

Lumbermen's Underwriting Alliance. Proceed to question 5 if and only if you answered "no" to questions 1, 2 and 3, and you also answered "yes" to question 4.

5. If you find that Carter Brothers Manufacturing Company, Inc. may recover from Lumbermen's Underwriting Alliance, how much is it entitled to in damages?

\$ 13,653,415

SO SAY WE ALL.

DONE, this the 31 day of August, 2012

/s/ Octavius M. Jackson

FOREPERSON

It is therefore the ORDER, JUDGMENT, and DECREE of the court as follows:

(1) Judgment is entered in favor of plaintiff Carter Brothers Manufacturing Company, Inc. and against defendant Lumbermen's Underwriting Alliance.

(2) Plaintiff Carter Brothers Manufacturing Company, Inc. shall have and recover from defendant Lumbermen's Underwriting Alliance the sum of \$ 13,653,415.

(3) It is further ORDERED that costs are taxed against defendant Lumbermen's Underwriting Alliance, for which execution may issue.

The clerk of the court is DIRECTED to enter this document on the civil docket as a final judgment pursuant to Rule 58 of the Federal Rules of Civil Procedure.

This case is not closed.

DONE, this the 4th day of September, 2012.

          /s/ Myron H. Thompson            
UNITED STATES DISTRICT JUDGE