

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

LINDA PEACOCK,)

Plaintiff,)

v.) CIVIL ACTION NO. 05-0377-CB-C

BURNEY H. MERRILL, et al.)

Defendants.)

SPECIAL INTERROGATORIES AND VERDICT FORM

1. Are you reasonably satisfied from the evidence that Marion Uter had a 15% ownership interest (the 150 shares of stock at issue) in the Floragon companies in March 2002?

Yes _____

No _____

If you answered yes to question 1, go to question 2.

If you answered no to question 1, skip the remaining questions and sign and date this form.

2. Are you reasonably satisfied from the evidence that Linda Peacock acquired Marion Uter's 15 % ownership interest (the 150 shares of stock at issue) in the Floragon companies in March 2002?

Yes _____

No _____

If you answer no question 2, skip the remaining questions and sign and date this form.

3. a. Are you reasonably satisfied from the evidence that Burney Merrill is liable for conversion of Peacock's 15% interest in the Floragon companies?

Yes _____

No _____

- b. Are you reasonably satisfied from the evidence that Collier Merrill is liable for conversion of Peacock's 15% interest in the Floragon companies?

Yes _____

No _____

- c. Are you reasonably satisfied from the evidence that Willis Merrill is liable for conversion of Peacock's 15% interest in the Floragon companies?

Yes _____

No _____

4. a. Are you reasonably satisfied from the evidence that Burney Merrill is liable for conspiracy to convert Peacock's 15% interest in the Floragon companies?

Yes _____

No _____

- b. Are you reasonably satisfied from the evidence

that Collier Merrill is liable for conspiracy to convert Peacock's 15% interest in the Floragon companies?

Yes _____

No _____

c. Are you reasonably satisfied from the evidence that Willis Merrill is liable for conspiracy to convert Peacock's 15% interest in the Floragon companies?

Yes _____

No _____

If you answered yes to any part of questions 3 or 4, then answer question 5. If not, skip question 5 and go to question 6.

5. a. What was the date of the conversion?

b. What was the greatest value of the 15% interest of FFP, Inc., FFPM, Inc. and Floragon Holding Co., Inc. from the date of the conversion to trial?

c. If you are reasonably satisfied from the evidence that Peacock suffered mental anguish, what amount of damages do you award for mental anguish?

d. If you find by clear and convincing evidence that punitive damages should be awarded, what amount of punitive damages do you award?

6. a. Are you reasonably satisfied from the evidence that Burney Merrill is liable for money had and received?

Yes _____

No _____

- b. Are you reasonably satisfied from the evidence that Collier Merrill is liable for money had and received?

Yes _____

No _____

- c. Are you reasonably satisfied from the evidence that Willis Merrill is liable for money had and received?

Yes _____

No _____

If you answered yes to any part of question 6, then answer question 7. If not, skip question 7 and sign and date this form.

7. a. What is the amount of money did the Merrills receive that rightfully belongs to Peacock? (Please specify the amount.)

- b. What is the date and/or dates that the money

was received by the Merrills should have been turned over to Peacock?

Date/Dates	Amount/Amounts
_____	_____
_____	_____
_____	_____
_____	_____

SO SAY WE ALL.

Rachel Rehm
FOREPERSON

DATED: 3/10/10

FILED IN OPEN COURT THIS 10th
DAY OF MARCH, 2010.
CHARLES R. DIARD, JR., CLERK

By: Melnie Aycox
Deputy Clerk