

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

LARRY DALE CROUCH, RHONDA)
MAE CROUCH, TEDDY LEE)
HUDSON, and CAROLYN)
SUE HUDSON,)

Plaintiffs,)

v.)

CIVIL ACTION No. 10-0072-KD-N

TELEDYNE CONTINENTAL)
MOTORS, INC.,)

Defendant,)

BRIDGEFIELD CASUALTY)
INSURANCE CO.,)

Intervenor Plaintiff.)

VERDICT

STRICT LIABILITY

1) Are you satisfied by a preponderance of the evidence that when TCM sold the magneto it was defective and unreasonably dangerous and that the magneto was a substantial factor in causing the accident?

YES _____

NO _____

- If you answered NO to question #1 then skip questions #1a and #1b and proceed to question #2.

- If you answered YES to question #1 then proceed to questions #1a and #1b.

1 a) Do you find that the magneto was defective and unreasonably dangerous based on an unreasonably dangerous design defect?

YES _____

NO _____

1 b) Do you find that the magneto design was adequate but was unreasonably dangerous because use of the product in a foreseeable manner involves substantial risk of injury, and the manufacturer failed to give adequate warning of such danger?

YES _____

NO _____

NEGLIGENCE

2) Are you satisfied by a preponderance of the evidence that after the magneto was sold that TCM negligently failed to warn that the magneto was unreasonably dangerous and that such failure was a substantial factor in causing the crash?

YES _____

NO _____

- Proceed to question #3.

BREACH OF WARRANTY

3) Are you satisfied by a preponderance of the evidence that the magneto was unfit for its intended purpose and that this defect was a substantial factor in causing the crash?

YES _____

NO _____

- If you answered YES to either question #1, #2, or #3, then proceed to question #4.
- If you answered NO to all of questions #1, #2, and #3, then sign and date this verdict.

APPORTIONMENT OF FAULT

4) Are you satisfied by a preponderance of the evidence that Larry Crouch failed to exercise the degree of care that an ordinary prudent pilot would exercise under the same or similar circumstances and that this failure was a substantial factor in causing the crash?

YES _____ NO _____

- If you answered **NO** to question #4, proceed to question #5.
- If you answered **YES** to question #4, proceed to question #4a.

4a) What portion of fault is attributable to Larry Crouch's failure to exercise ordinary care?

Larry Crouch _____ %

TCM _____ %

TOTAL: 100 % (the percentages must total 100%)

If you apportion 100% of fault to Larry Crouch, then sign and date this verdict. Otherwise proceed to question #5.

DAMAGES

5) What sum of money do you believe will fairly and reasonably compensate Larry Crouch for the damages you believe he has sustained directly by reason of the crash:

(a) Past physical and mental pain and suffering, if any;

\$ _____

(b) Future physical and mental pain and suffering, if any;

\$ _____

(c) Reasonable and necessary medical expenses

Incurred to date, if any;

\$ _____

(d) Reasonable and necessary medical expenses which

he is reasonably certain to incur in the future, if any;

\$ _____

(e) Permanent impairment of his power to earn money,

if any.

\$ _____

- Proceed to question #6.

6) What sum of money do you believe will fairly and reasonably compensate Rhonda Crouch for loss of services, assistance, aid, society, companionship and conjugal relationship of her husband, Larry Crouch, you believe from the evidence she has sustained or is reasonably certain to sustain in the future as a direct result of his injuries.

(a) Loss of consortium, if any \$ _____

- Proceed to question #7.

7) What sum of money do you believe will fairly and reasonably compensate Teddy Hudson for the damages you believe he has sustained directly by reason of the crash:

(a) Past physical and mental pain and suffering, if any;

\$ _____

(b) Future physical and mental pain and suffering, if any;

\$ _____

(c) Reasonable and necessary medical expenses
incurred to date, if any;

\$ _____

(d) Reasonable and necessary medical expenses

which he is reasonably certain to incur in the future, if any;

\$ _____

(e) Permanent impairment of his power to earn money, if any.

\$ _____

- Proceed to question #8.

8) What sum of money do you believe will fairly and reasonably compensate Carolyn Hudson for loss of services, assistance, aid, society, companionship and conjugal relationship of her husband, Teddy Hudson, you believe from the evidence she has sustained or is reasonably certain to sustain in the future as a direct result of his injuries.

(a) Loss of consortium, if any \$ _____

- Proceed to question #9.

PUNITIVE DAMAGES

9) Do you find by clear and convincing evidence that Teledyne Continental Motors acted in reckless disregard for the lives, safety or property of others?

Yes _____

No _____

- If you answered **NO**, then sign and date this form.
- If you answered **YES** then proceed to question #10.

10) Please state the amount, if any, that should be awarded to Plaintiffs as punitive damages. \$ _____

SO SAY WE ALL,



FOREPERSON

DATED: 5 Aug 11 _____

FILED IN OPEN COURT THIS THE 5th DAY OF AUGUST, 2011.

BY: 

DEPUTY CLERK