

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

CHARLES K. BRELAND, JR.,
OSPREY UTAH, LLC,
WATER CANYON HOLDINGS, LLC,
RANGE CREEK HOLDINGS, LLC,
UTAH REVERSE EXCHANGE, LLC,

Plaintiffs,

vs.

LEVADA EF FIVE, LLC,

Defendant.

Civil Action No. 14-00158-CG-C

VERDICT FORM

- 1. Regarding Plaintiffs' Breach of Contract Claim for Nonpayment of Property Taxes:

You should choose one of the following (put an X on the line):

We the jury find in favor of the Plaintiffs on their breach of contract claim for Defendant's failure to pay property taxes on the Utah property and assess damages in the amount of \$_____.

or:

X

We the jury find in favor of Defendant on the Plaintiffs' breach of contract claim for Defendant's failure to pay property taxes on the Utah property.

* * *

2. Regarding Plaintiffs' Breach of Contract Claim for Defendant's Failure to Perform Development Obligations:

You should choose one of the following (put an X on the line):

We the jury find in favor of the Plaintiffs on their breach of contract claim based on Defendant's failure to perform certain development obligations under Paragraph 8 of the Amended and Restated Agreement and award specific performance under Paragraph 9 of the Amended and Restated Agreement.

or:

We the jury find in favor of the Defendant on the Plaintiffs' breach of contract claim based on Defendant's failure to perform certain development obligations.

* * *

3. Regarding Defendant's Counterclaim for Plaintiffs' Failure to Deliver Questar Taps:

You should choose one of the following (put an X on the line):

We the jury find in favor of Defendant on its Counterclaim based on Plaintiffs' failure to deliver the Questar Taps and assess damages in the amount of \$ 1,500,000 - 79,328.98 Utah taxes paid

or:

We the jury find in favor of Defendant on its Counterclaim based on Plaintiffs' failure to deliver the Questar Taps and award Defendant specific performance under Paragraph 14 of the Amended and Restated Agreement.

or:

