Soilworks LLC v Midwest Industrial Supply Inc Doc. 11

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UNITED STATES DISTRICT COURT
IN AND FOR THE DISTRICT OF ARIZONA

SOILWORKS, LLC, an Arizona corporation, Plaintiff / Counterdefendant / Counterclaimant, v. MIDWEST INDUSTRIAL SUPPLY, INC., an Ohio corporation authorized to do business in Arizona, Defendant / Counterclaimant / Counterdefendant.	NO.: 2:06-CV-2141-DGC **PLAINTIFF'S PROPOSED FORMS OF VERDICT**

Attached are Plaintiff's proposed forms of verdict.

Dated this 19th day of September, 2008.

KUTAK ROCK LLP

By /s E. Scott Dosek
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4826-4727-9619.1

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1. **Soilworks' Lanham Act False Advertising Claim:**

We, the jury, duly empanelled and sworn in the above-entitled action, upon our oaths, do find in favor of Plaintiff/Counterdefendant Soilworks on its Lanham Act False Advertising Claim, and find Soilworks' full damages to be $_____.

_____	_____
Juror 1	Juror 7
_____	_____
Juror 2	Juror 8
_____	_____
Juror 3	Juror 9
_____	_____
Juror 4	Juror 10
_____	_____
Juror 5	Juror 11
_____	_____
Juror 6	Foreperson

2. **Soilworks' Common Law Unfair Competition Claim:**

We, the jury, duly empanelled and sworn in the above-entitled action, upon our oaths, do find in favor of Plaintiff/Counterdefendant Soilworks on its Common Law Unfair Competition Claim, and find Soilworks' full damages to be $_____.

_____	_____
Juror 1	Juror 7
_____	_____
Juror 2	Juror 8
_____	_____
Juror 3	Juror 9
_____	_____
Juror 4	Juror 10
_____	_____
Juror 5	Juror 11
_____	_____
Juror 6	Foreperson

3. **Midwest's Lanham Act False Advertising Claim:**

We, the jury, duly empanelled and sworn in the above-entitled action, upon our oaths, do find in favor of Plaintiff/Counterdefendant Soilworks.

Juror 1	Juror 7
Juror 2	Juror 8
Juror 3	Juror 9
Juror 4	Juror 10
Juror 5	Juror 11
Juror 6	Foreperson

4. **Midwest's Lanham Act Trademark Infringement, False Designation of Origin, and Unfair Competition Claim:**

We, the jury, duly empanelled and sworn in the above-entitled action, upon our oaths, do find in favor of Plaintiff/Counterdefendant Soilworks.

Juror 1	Juror 7
Juror 2	Juror 8
Juror 3	Juror 9
Juror 4	Juror 10
Juror 5	Juror 11
Juror 6	Foreperson

5. **Midwest's State Law Unfair Competition Claim:**

We, the jury, duly empanelled and sworn in the above-entitled action, upon our oaths, do find in favor of Plaintiff/Counterdefendant Soilworks.

Juror 1	Juror 7
Juror 2	Juror 8
Juror 3	Juror 9
Juror 4	Juror 10
Juror 5	Juror 11
Juror 6	Foreperson

6. **Midwest's Unjust Enrichment Claim:**

We, the jury, duly empanelled and sworn in the above-entitled action, upon our oaths, do find in favor of Plaintiff/Counterdefendant Soilworks.

Juror 1	Juror 7
Juror 2	Juror 8
Juror 3	Juror 9
Juror 4	Juror 10
Juror 5	Juror 11
Juror 6	Foreperson

7. **Midwest's Patent Claim:**

We, the jury, duly empanelled and sworn in the above-entitled action, upon our oaths, do find in favor of Plaintiff/Counterdefendant Soilworks.

Juror 1	Juror 7
Juror 2	Juror 8
Juror 3	Juror 9
Juror 4	Juror 10
Juror 5	Juror 11
Juror 6	Foreperson

COPY of the foregoing electronically filed
this 19th day of September, 2008, and copies electronically
submitted this same date to:

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