

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA**

PAMELA CARPENTER, an individual, )  
Plaintiffs, )  
vs. )  
ALLSTATE INSURANCE COMPANY, )  
a corporation; and DOES 1 through 100, )  
Inclusive, )  
Defendants. )

**Case No. CV 11-7662 GW(JCGx)**  
[Assigned to Hon. George H. Wu]  
Case Filed: July 6, 2011

**JUDGMENT**

On September 17, 2012, a jury, after a trial presided over by Judge George H. Wu, reached a verdict which is attached hereto as Exhibit A to this Judgment.

//  
//

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

Pursuant to that verdict, **IT IS HERBY ORDERED, ADJUDGED and DECREED** that:

1. Judgment shall be entered in favor of Plaintiff Pamela Carpenter and against Defendant Allstate Insurance Company in the amount of \$10,455,633.28;
2. This Judgment shall bear interest at the statutory rate until it is paid; and
3. Plaintiff Pamela Carpenter shall be entitled to recover her costs of suit from Defendant Allstate Insurance Company.



Dated: October 16, 2012

---

The Honorable George H. Wu  
United States District Judge

FILED  
CLERK, U.S. DISTRICT COURT  
SEP 17 2012  
CENTRAL DISTRICT OF CALIFORNIA  
BY *XJ* DEPUTY

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

PAMELA CARPENTER, an individual,  
Plaintiffs,  
vs.  
ALLSTATE INSURANCE COMPANY,  
a corporation; and DOES 1 through 100,  
Inclusive,  
Defendants.

Case No. CV11-7662 GW(JCGx)  
[Assigned to Hon. George H. Wu]  
SPECIAL VERDICT FORM

REDACTED

1 We answer the questions submitted to us as follows:

2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**Claim for Breach of the Covenant of Good Faith and Fair Dealing**

1. Did Allstate Insurance Company delay payment of policy benefits when due to Plaintiff?

Yes  No

If your answer to question 1 is "Yes," then answer question 2. If your answer to question 1 is "No," please proceed to question 7.

2. Was Allstate Insurance Company's delay in payment of policy benefits unreasonable or without proper cause?

Yes  No

If your answer to question 2 is "Yes," then answer question 3. If your answer to question 2 is "No," please proceed to question 7.

3. Was Allstate Insurance Company's delay in payment of policy benefits a substantial factor in causing harm to Plaintiff?

Yes  No

If your answer to question 3 is "Yes," then answer question 4. If your answer to question 3 is "No," please proceed to question 7.

1 4. What, if any, are Plaintiff's economic damages as a result of Allstate's  
2 delay in payment of policy benefits?

3  
4 \$ ~~XXXXXXXXXXXX~~ 632.28

5  
6 If your answer to question 4 is greater than "0," then answer question 5. If  
7 your answer to question 4 is "0," please proceed to question 7.

8  
9 5. What, if any, are Plaintiff's noneconomic damages as a result of  
10 Allstate's delay in payment of policy benefits?

11  
12 \$ 455,000.00

13  
14 6. Do you find by clear and convincing evidence that Allstate engaged in  
15 conduct with malice or oppression or fraud?

16  
17  Yes  No

18  
19 **Claim for Intentional Infliction of Emotional Distress**

20  
21 7. Was Allstate Insurance Company's conduct outrageous in handling  
22 Plaintiff's insurance claim?

23  
24  Yes  No

25  
26 If your answer to question 7 is "Yes," then answer question 8. If your answer  
27 to question 7 is "No," stop here, answer no further questions, and have the presiding  
28 juror sign and date this form.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

8. Did Allstate intend to cause Plaintiff emotional distress or act with reckless disregard of the probability that Plaintiff would suffer emotional distress?

Yes  No

If your answer to question 8 is "Yes," then answer question 9. If your answer to question 8 is "No," stop here, answer no further questions, and have the presiding juror sign and date this form.

9. Did Plaintiff suffer severe emotional distress?

Yes  No

If your answer to question 9 is "Yes," then answer question 10. If your answer to question 9 is "No," stop here, answer no further questions, and have the presiding juror sign and date this form.

10. Was Allstate Insurance Company's conduct a substantial factor in causing Plaintiff's severe emotional distress?

Yes  No

If your answer to question 10 is "Yes," then answer question 11. If your answer to question 10 is "No," stop here, answer no further questions, and have the presiding juror sign and date this form.

1 11. Did Plaintiff suffer damages as a result of Allstate Insurance Company's  
2 conduct??

3  Yes  No

4  
5 If your answer to question 11 is "Yes," then answer question 12. If your  
6 answer to question 11 is "No," stop here, answer no further questions, and have the  
7 presiding juror sign and date this form.

8  
9 12. What, if any, are Plaintiff's damages as a result of Allstate's outrageous  
10 conduct?

11  
12 Past economic loss costs \$ 632.28  
13 Past noneconomic loss \$ 455,000.00

14  
15 13. Do you find by clear and convincing evidence that Allstate engaged in  
16 conduct with malice or oppression or fraud?

17  
18  Yes  No

19  
20 **REDACTED AS TO**  
21 Signed: **FOREPERSON'S NAME** \_\_\_\_\_

22 Presiding Juror

23 Dated: 17th September 2012

24 After it has been signed, deliver this verdict form to the clerk.  
25  
26  
27  
28

FILED  
SEP 17 2012  
CENTRAL DISTRICT OF CALIFORNIA  
BY *(Signature)* DEPUTY

Does the Jury find by clear and convincing evidence that punitive damages should be awarded in this case?

(Yes)                       (No)

**REDACTED**

If your answer to the above question is "yes," what amount of punitive damages, if any, does the Jury find is appropriate in this case?

\$10,000,001.00

**REDACTED AS TO  
FOREPERSON'S NAME**

\_\_\_\_\_  
Foreperson

17th September, 2012  
Date