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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA, WESTERN DIVISION

EDMOND E. ASLAN and EILEEN
MICHAELIAN,

Plaintiffs,

v.

FERRARI NORTH AMERICA, INC., a
Delaware corporation, ZF TRW
Automotive Holding Corporation, a
Michigan Corporation, and DOES 1-
100, inclusive,

Defendants.

CASE NO. 2:16-cv-02574-AB SS

~~PROPOSED~~ FINAL JUDGMENT
ON SPECIAL VERDICT

This action came on regularly for trial on April 16, 2019, in Courtroom 7B of the above-entitled court, the Honorable André Birotte Jr. presiding. Plaintiffs EDMOND E. ASLAN and EILEEN MICHAELIAN appeared by and through their counsel of record, Moses Lebovits and Parham Nikfarjam of Daniels, Fine, Israel, Schonbuch & Lebovits, LLP. Defendant FERRARI NORTH AMERICA, INC. appeared by and through its counsel of record, James J. Yukevich, Cristina M. Ciminelli, and Jeffrey W. Caligiuri of Yukevich | Cavanaugh.

A jury of eight persons was regularly impaneled and sworn. Witnesses were

1 sworn and testified, and documentary and physical evidence was introduced and
2 received into evidence. After hearing the evidence and arguments of counsel, the
3 jury was duly instructed by the Court and the case was submitted to the jury with
4 directions to return a verdict on special issues. The jury deliberated and thereafter
5 returned the following special verdict in favor of defendant on April 24, 2019:

6
7 **SPECIAL VERDICT FORM**

8 We, the jury, answer the questions submitted to us as follows:

- 9
10 **1. Did the seatbelt in the 2002 Ferrari 360 Spider fail to perform as safely as**
11 **an ordinary consumer would have expected when used or misused in an**
12 **intended or reasonably foreseeable way?**

13 _____ Yes No

14 If your answer to Question 1 is yes, then answer Question 2. If your answer
15 is no, stop here, answer no further questions, and have the presiding juror sign
16 and date this form.

- 17
18 **2. Was the seatbelt's design in the 2002 Ferrari 360 Spider a substantial**
19 **factor in causing harm to Edmond Asian?**

20 _____ Yes _____ No

21 If your answer to Question 1 is yes, then answer Question 2. If your answer
22 is no, stop here, answer no further questions, and have the presiding juror sign
23 and date this form.

- 24
25 **3. What are Edmond Asian's total damages? Do not reduce the damages**
26 **based on the fault, if any, of Edmond Asian**

27 a. Past economic loss

28 Past medical expenses \$ _____

1 **7. Did Edmond Aslan fail to mitigate damages?**

2 _____Yes _____No

3 If your answer to Question 7 is yes, then answer Question 8. If you answered
4 no, skip Question 8, and answer Question 9.

5

6 **8. How much (number) should Edmond Aslan’s damages be reduced due to**
7 **his failure to mitigate damages?** \$ _____

8 If you answered question 8, proceed to answer Question 9.

9

10 **9. Did Eileen Michaelian sustain a loss of her husband’s companionship and**
11 **service as a result of the injury to Edmond Aslan?**

12 _____Yes _____No

13 If your answer to Question 9 is yes, then answer Question 10. If you
14 answered no, then stop here, answer no further questions and have the
15 presiding juror sign and date this form.

16

17 **10. What are Eileen Michaelian’s damages for loss of her husband’s love,**
18 **companionship, comfort, care, assistance, protection, affection, society,**
19 **moral support, and enjoyment of sexual relations?** \$ _____

20 Have the presiding juror sign and date this form.

21

22 Signed: REDACTED Date: April 24, 2019

23 Presiding Juror

24 After the verdict form has been signed, notify the clerk that you are ready to
25 present your verdict in the courtroom.

26 ///

27 ///

28 ///

1 Therefore, by reason of this special verdict, **IT IS HEREBY ORDERED,**
2 **ADJUDGED, AND DECREED** that:

3 1. Judgment is entered in favor of Defendant FERRARI NORTH
4 AMERICA, INC. on Plaintiff EDMOND E. ASLAN's design defect claim and
5 Plaintiff EILEEN MICHAELIAN's loss of consortium claim.

6 2. Plaintiffs EDMOND E. ASLAN and EILEEN MICHAELIAN shall
7 take nothing against Defendant FERRARI NORTH AMERICA, INC.

8 3. Defendant FERRARI NORTH AMERICA, INC. shall recover from
9 Plaintiffs EDMOND E. ASLAN AND EILEEN MICHAELIAN their costs of suit
10 incurred herein to an award of \$ _____, to be taxed by the Clerk of
11 Court.

12
13 **IT IS SO ORDERED. JUDGMENT IS DEEMED ENTERED AS OF**
14 **THE DATE SET FORTH BELOW.**

15
16 DATED: May 15, 2019



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19 _____
20 Hon. André Birotte Jr.
21 United States District Court Judge

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