

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Senior District Judge Richard P. Matsch

Civil Action No. 10-cv-03115-RPM

SCOTT CZARNIAK and
ADRIENNE CZARNIAK,

Plaintiffs,

v.

20/20 INSTITUTE, LLC,

Defendant.

VERDICT - NEGLIGENCE

We the jury upon our oath are all agreed on the following answers to the Court's questions.

1. Did the plaintiff Scott Czarniak prove by a preponderance of the evidence that the defendant 20/20 Institute was negligent because of the conduct of its employee Jacquelyn Tallant?

Yes
(Yes or No)

If yes,

2. Was that negligence a cause of Scott Czarniak's injury?

Yes
(Yes or No)

If yes, recognizing that Dr. Matthew Chang has admitted his negligence, then state the percentage of negligence causing Scott Czarniak's injury was that of 20/20 Institute and that of Dr. Matthew Chang.

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VERDICT - COLORADO CONSUMER PROTECTION ACT

We the jury upon our oath are all agreed on the following answers to the Court's questions.

1. Did the plaintiff Scott Czarniak prove by a preponderance of the evidence that the defendant 20/20 Institute violated the Colorado Consumer Protection Act?

NO

(Yes or No)

If yes,

2. Did the plaintiff Scott Czarniak prove by a preponderance of the evidence that the injury he sustained was caused by that violation?

(Yes or No)

If yes,

3. Did the plaintiff Scott Czarniak prove by a clear and convincing evidence that 20/20 Institute engaged in bad faith conduct?

(Yes or No)

DATED: May 9, 2013

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Presiding Juror

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VERDICT - DAMAGES

We the jury upon our oath are all agreed on the following answers to the Court's questions.

The plaintiff, Scott Czarniak is claiming the same damages on both of his claims. If you find liability on either or both claims, answer the following questions.

1. What is the total amount of Scott Czarniak's damages for noneconomic losses or injuries?

\$ 0

2. What is the amount of Scott Czarniak's damages for economic losses?

Medical Expenses \$ 14,600

Past Losses \$ 5,600

Future Losses (present value) \$ 0

3. What is the total amount of Scott Czarniak's damages, for physical impairment?

\$ 280,000

As to Adrienne Czarniak's claim for damages for loss of consortium:

1. What is the total amount of Adrienne Czarniak's damages for noneconomic losses or injuries?

\$ 140,000

2. What is the total amount of Adrienne Czarniak's damages for economic losses?

\$ 0

DATED: May 9, 2013

Presiding Juror