

IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF PENNSYLVANIA

OFFICIAL COMMITTEE OF UNSECURED )	
CREDITORS, on behalf of the estate of )	
LEMINGTON HOME FOR THE AGED, )	
Plaintiff, )	Civil Action No.: 10-800
v. )	The Honorable Arthur J. Schwab
ARTHUR BALDWIN, et al. )	
Defendants. )	

**VERDICT FORM (AS OF 2/13/13)**

**Plaintiff’s Claims against Defendants**

**1. Count I -Breach of Fiduciary Duty of Loyalty**

A. Do you find that the Plaintiff has proven, by a preponderance of the evidence, that the *Directors* identified below breached their fiduciary duty of loyalty?

<i>Directors</i>	YES	NO
Arthur Baldwin		
Jerome Bollock		
Angela Ford		
Joann Andiorio		
JW Wallace		
Twyla Johnson		
Nicole Gaines		
William Thompkins		
Roy Penner		

Leonard R. Duncan		
Renee Frazier		
Claudia Allen a/k/a Claudia Hussein		
Reverend Eugene Downing		
George Calloway		
B.J. Leber		
Reverend Ronald Peters		

Continue to answer Question 1(B).

B. Do you find that the Plaintiff has proven, by a preponderance of the evidence, that the *Officers* identified below breached their fiduciary duty of loyalty?

<i>Officers</i>	YES	NO
Mel Causey		
James Shealey		

Continue to answer Question 2-Count II: Breach of Fiduciary Duty of Care.

**2. Count II -Breach of Fiduciary Duty of Care**

A. Do you find that the Plaintiff has proven, by a preponderance of the evidence, that the *Directors* identified below breached their fiduciary duty of care?

<i>Directors</i>	YES	NO
Arthur Baldwin		
Jerome Bollock		
Angela Ford		
Joann Andiorio		
JW Wallace		
Twyla Johnson		
Nicole Gaines		
William Thompkins		
Roy Penner		
Leonard R. Duncan		
Renee Frazier		
Claudia Allen a/k/a Claudia Hussein		
Reverend Eugene Downing		
George Calloway		
B.J. Leber		
Reverend Ronald Peters		

Continue to answer Question 2(B).

B. Do you find that the Plaintiff has proven, by a preponderance of the evidence, that the *Officers* identified below breached their fiduciary duty of care?

<i>Officers</i>	YES	NO
Mel Causey		
James Shealey		

Continue to answer Question 3-Count III: Deepening Insolvency.

**3. Count III-Deepening Insolvency**

A. Do you find that the Plaintiff has proven, by a preponderance of the evidence, that the actions of the *Directors* identified below were fraudulent and resulted in the deepening insolvency of the Lemington Home for the Aged?

<i>Directors</i>	YES	NO
Arthur Baldwin		
Jerome Bollock		
Angela Ford		
Joann Andiorio		
JW Wallace		
Twyla Johnson		
Nicole Gaines		
William Thompkins		
Roy Penner		
Leonard R. Duncan		

Renee Frazier		
Claudia Allen a/k/a Claudia Hussein		
Reverend Eugene Downing		
George Calloway		
B.J. Leber		
Reverend Ronald Peters		

B. Do you find that the Plaintiff has proven, by a preponderance of the evidence, that the actions of the *Officers* identified below were fraudulent and resulted in the deepening insolvency of the Lemington Home for the Aged?

<i>Officers</i>	YES	NO
Mel Causey		
James Shealey		

If you answered “NO” as to EVERY individual in Questions 1, 2, and 3, you have completed your verdict form. Please DO NOT answer any further questions. Please sign the verdict form at the end of this document and inform the Bailiff that you have reached a verdict.

If you answered “YES” as to ANY individual in Questions 1, 2 or 3, please continue to Question 4.

**Defense**

**4. *In Pari Delicto***

A. Do you find, that the Defendant *Directors* identified below have proven, by a preponderance of the evidence, the defense of *in pari delicto* (“parties are equally at fault”)?

<b><i>Directors</i></b>	YES	NO
Arthur Baldwin		
Jerome Bollock		
Angela Ford		
Joann Andiorio		
JW Wallace		
Twyla Johnson		
Nicole Gaines		
William Thompkins		
Roy Penner		
Leonard R. Duncan		
Renee Frazier		
Claudia Allen a/k/a Claudia Hussein		
Reverend Eugene Downing		
George Calloway		
B.J. Leber		
Reverend Ronald Peters		

B. Do you find, that the Defendant *Officers* identified below have proven, by a preponderance of the evidence, the defense of *in pari delicto* (“parties are equally at fault”)?

<i>Officers</i>	YES	NO
Mel Causey		
James Shealey		

If you answered “YES” to EVERY part of Question 4(A) and (B), Plaintiff cannot recover against any Defendant in this matter.

Please DO NOT answer any further questions. Please sign the verdict form at the end of this document and inform the Bailiff that you have a verdict.

If you answered “NO” to ANY part of Question 4, please continue to Question 5.

**Damages**

**5. Compensatory and Punitive Damages**

**A. Compensatory Damages**

What is the amount of compensatory damages awarded to Plaintiff?

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**B. Punitive Damages**

What is the amount of punitive damages awarded to Plaintiff, as to each individual Director and Officer?

<i>Directors</i>	<i>\$, if any</i>
Arthur Baldwin	
Jerome Bollock	
Angela Ford	
Joann Andiorio	
JW Wallace	
Twyla Johnson	
Nicole Gaines	
William Thompkins	
Roy Penner	
Leonard R. Duncan	
Renee Frazier	
Claudia Allen a/k/a Claudia Hussein	
Reverend Eugene Downing	



George Calloway	
B.J. Leber	
Reverend Ronald Peters	
<i>Officers</i>	<i>\$, if any</i>
Mel Causey	
James Shealey	

You have completed the verdict form. Please sign and date this form and notify the Bailiff that you have reached a verdict.

Unanimously agreed to this \_\_\_\_\_ day of \_\_\_\_\_, 2013, by we, the undersigned jurors.

\_\_\_\_\_, Foreperson

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