

**IN THE CIRCUIT COURT FOR THE TWENTIETH JUDICIAL CIRCUIT  
IN LEE COUNTY, FLORIDA  
CIVIL DIVISION**

JOHN MALONEY, as Personal  
Representative for the Estate of CAROLYN  
MALONEY,

Plaintiff,

v.

R. J. REYNOLDS TOBACCO COMPANY,  
et al.,

Defendants.

Case No. 07-CA-015578

**VERDICT FORM**

1. Was Carolyn Maloney addicted to cigarettes containing nicotine, and if so, was such addiction a legal cause of her lung cancer and death?

YES ✓ NO       

*If your answer to Question 1 was NO, please proceed no further except to sign and date this verdict form and return it to the courtroom. If your answer to Question 1 was YES, please proceed to Question 2.*

2. Please state whether smoking R. J. Reynolds Tobacco Company's cigarettes was a legal cause of Carolyn Maloney's lung cancer and death?

YES ✓ NO       

*If your answer to Question 2 was NO, please proceed to Question 5. If your answer to Question 2 was YES, please proceed to Question 3.*

3. Please state the percentage of any fault that was a legal cause of Carolyn Maloney's death that you charge to:

R. J. Reynolds Tobacco Company

Carolyn Maloney

*(The total of percentage must be 100%)*

50%

50%

4. Please state whether Carolyn Maloney reasonably relied to her detriment on the concealment or omission by R. J. Reynolds Tobacco Company of material information concerning the health effects and/or addictive nature of smoking cigarettes, and if so, whether such reliance was a legal cause of Carolyn Maloney's lung cancer and death.

YES ✓ NO       

5. Please state whether Carolyn Maloney reasonably relied to her detriment on the agreement to conceal or omit material information about the health effects or addictive nature of smoking cigarettes or both, and if so, whether such reliance was a legal cause of Carolyn Maloney's lung cancer and death.

YES ✓ NO       

***If your answer to Question 2 and Question 5 was NO, please proceed no further except to sign and date this verdict form and return it to the courtroom. If your answer to Question 5 was YES, please proceed to Question 6.***

6. What is the total amount of damages sustained by John Maloney for the loss of his wife Carolyn Maloney's companionship and protection and his mental pain and suffering as a result of Carolyn Maloney's lung cancer and death?

In the past                      \$ 1,000,000.00  
In the future                    \$ 400,000.00

7. Please state the total amount of damages, if any, which you find was sustained by the Estate of Carolyn Maloney for medical expenses resulting from Carolyn Maloney's lung cancer and death paid by her Estate or John Maloney:

\$ 250,000.00

***In determining the amount of damages in Questions 6 and 7, do not make any reduction because of the fault of Carolyn Maloney. The Court will enter a judgment based on your verdict and, in entering judgment, will make any reduction required by law.***

***However, if you find for Plaintiff on Question 4 and/or Question 5, the Court will not reduce the amount of Plaintiff's damages by the percentage of fault you assign to Carolyn Maloney.***

8. Please state whether you find by clear and convincing evidence that punitive damages are warranted against R. J. Reynolds Tobacco Company under the circumstances of this case.

YES \_\_\_\_\_

NO ✓

SO SAY WE ALL THIS 18<sup>th</sup> day of July, 2017.

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FOREPERSON