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6 **IN THE UNITED STATES DISTRICT COURT**
7 **FOR THE DISTRICT OF ARIZONA**
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9 IN RE: Bard IVC Filters Products Liability
10 Litigation,
11

No. MDL 15-02641-PHX-DGC

12 Sherr-Una Booker, an individual,
13 Plaintiff,

No. CV-16-00474-PHX-DGC

14 v.

VERDICT

15 C. R. Bard, Inc., a New Jersey corporation;
16 and Bard Peripheral Vascular, Inc., an
17 Arizona corporation,
18 Defendants.
19

20 We, the jury, duly empaneled and sworn in the above entitled action, upon our
21 oaths, find as follows:

22 **A. LIABILITY**

23 **1. Strict Product Liability Design Defect Claim**

24 Do you find by a preponderance of the evidence that Bard is liable to Ms. Booker
25 on the strict product liability design defect claim? ____ Yes ____ No

26 **2. Strict Product Liability Failure to Warn Claim**

27 Do you find by a preponderance of the evidence that Bard is liable to Ms. Booker
28 on the strict product liability failure to warn claim? ____ Yes ____ No

1 **3. Negligent Design Claim**

2 Do you find by a preponderance of the evidence that Bard is liable to Ms. Booker
3 on the negligent design claim? Yes No

4 **4. Negligent Failure to Warn Claim**

5 Do you find by a preponderance of the evidence that Bard is liable to Ms. Booker
6 on the negligent failure to warn claim? Yes No

7 If you answered "No" to each question in Part A, do not complete Parts B, C,
8 or D, but please respond to the first question in Part E. If you answered "Yes" to any
9 question in Part A, please complete Parts B, C, and D, and respond to the second question
10 in Part E.

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12
13 **B. COMPENSATORY DAMAGES**

14 If you found Bard liable on any of the claims set forth above, what amount of
15 damages do you find will reasonably compensate Ms. Booker for her injuries?

16
17 \$ _____

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20 **C. APPORTIONMENT OF FAULT**

21 1. Do you find by a preponderance of the evidence that negligence on the part
22 of Dr. Sarwat Amer caused or contributed to Ms. Booker's injuries?

23 Yes No

24 2. If you answered "Yes," please provide the relative degrees of fault, if any,
25 that you assign to Bard and Dr. Amer (your total must equal 100%):

26 Bard: _____%

27 Dr. Amer: _____%

28 100%

1 **D. PUNITIVE DAMAGES**

2 Do you find by clear and convincing evidence that punitive damages should be
3 awarded against Bard? _____ Yes _____ No
4
5

6 **E. SUPERSEDING CAUSE QUESTIONS**

7 1. If you answered "No" to all of the questions identified in Part A, was your
8 finding based on the fact that either of the following was a superseding cause?

9 Dr. Brandon Kang: _____ Yes _____ No

10 Other radiologists: _____ Yes _____ No
11

12 2. If you answered "Yes" to any question identified in Part A above, did you
13 reduce the damages awarded in Part B based on the fact that either of the following was a
14 superseding cause?

15 Dr. Brandon Kang: _____ Yes _____ No

16 Other radiologists: _____ Yes _____ No
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22 _____
23 Presiding Juror Number

22 _____
23 Date
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