

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO  
Judge William J. Martínez

Civil Case No. 20-cv-1933-WJM-STV

Leah Shostrom,

Plaintiff,

v.

Ethicon, Inc., and  
Johnson & Johnson,

Defendants.

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VERDICT FORM

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We, the jury, upon our oaths, find and state as follows:

**Part A. Liability**

1. Has the Plaintiff Leah Shostrom proven, by a preponderance of the evidence, her Strict Liability – Design Defect claim against Defendants?

YES

NO

2. Has the Plaintiff Leah Shostrom proven, by a preponderance of the evidence, her Strict Liability – Failure to Warn claim against Defendants?

YES

NO

3. Has the Plaintiff Leah Shostrom proven, by a preponderance of the evidence, her Negligence claim against Defendants?

YES

NO

4. Has the Plaintiff Leah Shostrom proven, by a preponderance of the evidence, her Negligent Misrepresentation claim against Defendants?

YES

NO

5. Has the Plaintiff Leah Shostrom proven, by a preponderance of the evidence, her Fraudulent Concealment claim against Defendants?

YES

NO

6. Has the Plaintiff Leah Shostrom proven, by a preponderance of the evidence, her Gross Negligence claim against Defendants?

YES

NO

If your answer is "No" to each one of Question 1 through Question 6, then skip the remaining questions and go directly to the signature block at the end of this verdict form.

**Part B. Damages**

*Answer the questions in this section only if you are returning a verdict in favor of Plaintiff on one or more of her claims.*

7. Do you find Defendants have proven, by a preponderance of the evidence, their affirmative defense of Failure to Mitigate Damages?

YES

NO

If your answered "Yes" to Question 7, then you must reduce any damages you award to Plaintiff as set forth in the mitigation of damages instruction.

8. What amount of damages do you award to the Plaintiff Leah Shostrom for the injuries caused by the Defendants, as set forth in Part A of this verdict form?

\$ \_\_\_\_\_ Noneconomic damages

\$ \_\_\_\_\_ Physical impairment or disfigurement

9. Do you find Defendants have proven, by a preponderance of the evidence, their affirmative defense of Comparative Negligence?

\_\_\_ YES

\_\_\_ NO

If your answer is "Yes" to Question 9, then please answer Question 10. If your answer to Question 9 is "No," then please skip to Question 11.

10. Taking as 100 percent the combined negligence of Defendants and Plaintiff Leah Shostrom, what percentage of fault do you attribute to Defendants and what percentage of fault do you attribute to Plaintiff?

\_\_\_\_\_ % Defendants

\_\_\_\_\_ % Plaintiff Leah Shostrom

11. If you answered "Yes" to any Question in Part A, how much punitive damages, if any, do you award against Defendants?

\$ \_\_\_\_\_

*The Foreperson must sign and date this Verdict Form, and then give a note the*

Bailiff stating that you have reached a verdict, but do not give this Verdict Form to the Bailiff.

7/1/22  
DATE

11:32 am  
TIME