

IN THE IOWA DISTRICT COURT FOR SCOTT COUNTY

NORTHWEST BANK & TRUST COMPANY,	)	
an Iowa banking corporation	)	CASE NO. LACE128234
	)	
Plaintiff,	)	
vs.	)	
	)	
PERSHING HILL LOFTS, LLC, an Iowa	)	VERDICT OF THE JURY
limited liability company, JOHN M. CARROLL	)	
and JOHN G. RUHL,	)	
	)	
Defendants.	)	

We, the jury in the above-entitled action, return the following answers to the questions submitted to us:

**Question No. 1:** Do you find by clear, satisfactory and convincing evidence that John M. Carroll made fraudulent misrepresentations to Northwest Bank & Trust Company as explained to you in these instructions?

Answer "yes" or "no."

ANSWER: NO

[If your answer is "yes," answer Question 2. If your answer is "no," go to Question 3.]

**Question No. 2:** Was the fraudulent misrepresentation by John Carroll a cause of damage to the Plaintiff?

Answer "yes" or "no."

ANSWER: \_\_\_\_\_

[Move on to Question No. 3]

**Question No. 3:** Do you find by clear, satisfactory and convincing evidence that John G. Ruhl made fraudulent misrepresentations to Northwest Bank & Trust Company as explained to you in these instructions?

Answer "yes" or "no."

ANSWER: NO

[If your answer is "yes, answer Question 4. If your answer is no, do not answer any more questions.]

**Question No. 4:** Was the fraudulent misrepresentation by John Ruhl a cause of damage to the Plaintiff?

Answer "yes" or "no."

ANSWER: \_\_\_\_\_

[If your answer is "yes" move on to Question No. 5]

If you answered yes to any of Questions 1 through 4, you must consider the affirmative defense of failure to mitigate damages.

**Question No. 5:** Did Plaintiff, Northwest Bank and Trust, fail to mitigate its damages?

Answer "yes" or "no."

ANSWER: \_\_\_\_\_

[If your answer is "yes" move on to Question No. 6]

**Question No. 6:** If your answer to Questions 5, what is the amount of damages caused by Plaintiff's failure to mitigate its damages. Any damages awarded to plaintiff will be reduced by this amount.

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

**Question No. 7:** If your answer is "yes" to Questions 1 and 2 above, what is the amount of damage caused by John Carroll to Plaintiff:


Damages for Fraudulent Misrepresentation caused by John Carroll:

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

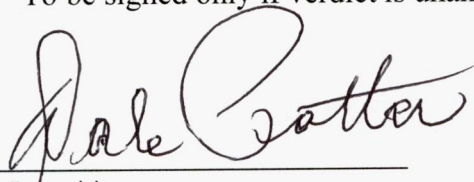
**Question No. 8:** If your answer is "yes" to Questions 3 and 4 above, what is the amount of damage caused by John Ruhl to Plaintiff:

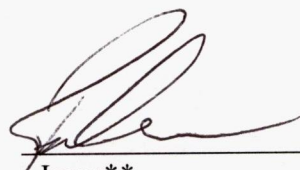
Damages for Fraudulent Misrepresentation caused by John Ruhl:

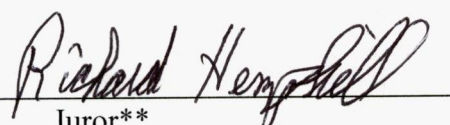
\$ \_\_\_\_\_

  
FOREMAN OR FOREWOMAN\*

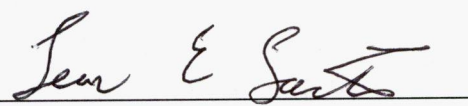
\*To be signed only if verdict is unanimous.

  
Juror\*\*

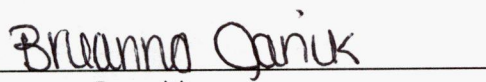
  
Juror\*\*

  
Juror\*\*

  
Juror\*\*

  
Juror\*\*

  
Juror\*\*

  
Juror\*\*

\*\*To be signed by the jurors agreeing thereto after six hours or more of deliberation

Supplemental Verdict Form

Question No. 1: Do you find by a preponderance of clear, convincing and satisfactory evidence the conduct of the John Ruhl constituted willful and wanton disregard for the rights or safety of another?

Answer: "yes" or "no"

[[If your answer to Question No. 1 is "No" do not answer Question Nos. 2 and 3]]

Question No. 2: What amount of punitive damages, if any, do you award?

Answer:

\_\_\_\_\_  
[[If your answer to Question No. 2 is "None" do not answer Question No. 3]]

Question No. 3: Was the conduct of the defendants directed specifically at plaintiff?

Answer: "yes" or "no"

Supplemental Verdict Form

Question No. 1: Do you find by a preponderance of clear, convincing and satisfactory evidence the conduct of the John Carroll constituted willful and wanton disregard for the rights or safety of another?

Answer: "yes" or no

[[If your answer to Question No. 1 is "No" do not answer Question Nos. 2 and 3]]

Question No. 2: What amount of punitive damages, if any, do you award?

Answer:

\_\_\_\_\_  
[[If your answer to Question No. 2 is "None" do not answer Question No. 3]]

Question No. 3: Was the conduct of the defendants directed specifically at plaintiff?

Answer: "yes" or "no"