

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 07/19/2017

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
IN RE:

GENERAL MOTORS LLC IGNITION SWITCH LITIGATION

14-MD-2543 (JMF)

This Document Relates To:
Ward v. General Motors LLC, 14-CV-8317
-----X


ORDER

JESSE M. FURMAN, United States District Judge:

For the record, the notes received from the jury during its deliberations are attached as Exhibit 1. Attached as Exhibit 2 is a copy of the jury's completed verdict form.

SO ORDERED.

Dated: July 19, 2017
New York, New York



JESSE M. FURMAN
United States District Judge

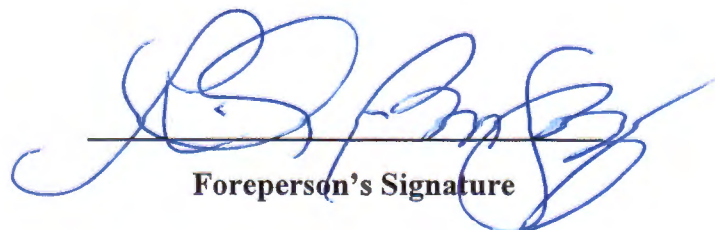
Exhibit 1

JURY NOTE

1. ON WHAT DAY DID NEW GM FILE WITH NHTSA THE RECALL THAT INCLUDED MR. WARD'S 2009 CHEVY HHR?
2. WAS NEW GM UNDER ANY OBLIGATION TO FILE WITH NHTSA THE RECALL THAT INCLUDED MR. WARD'S 2009 CHEVY HHR THAT WAS REFLECTED IN THE SAFETY RECALL IN THE LETTERS RECEIVED BY MR. WARD IN APRIL & JUNE 2012?
3. WHEN DID MR. WARD TURN HIS CAR IN TO HAVE HIS IGNITION SWITCH CHANGED PER HIS RECALL NOTICE?

Date: 7/19/17

Time: 10:40

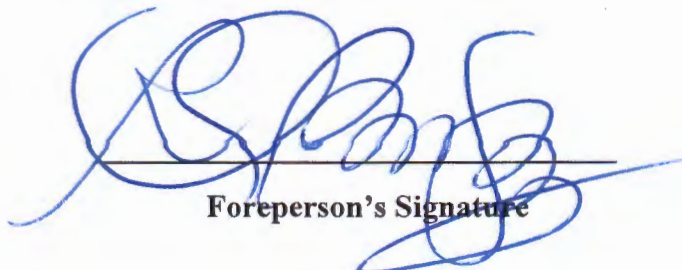

Foreperson's Signature

JURY NOTE

IF YOU HAVE ANSWER(S) TO
ANY OF THE QUESTIONS
ASKED, PLEASE CAN
YOU GIVE /RELEA~~SE~~SE TO
US SO WE CAN START
DISCUSSING AMONG OURSELVES?

Date: 7/19/17

Time: 11:43 AM


Foreperson's Signature

JURY NOTE

We have a verdict.

Date: 7/19/17

Time: 12 43/PM

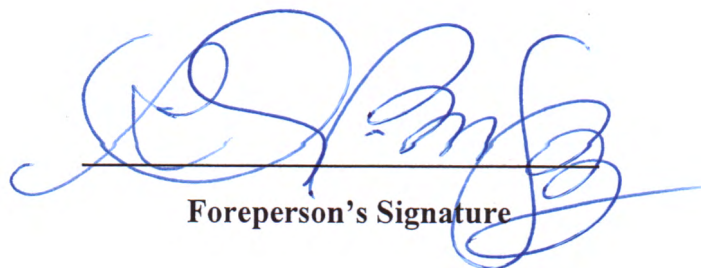

Foreperson's Signature

Exhibit 2

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
DENNIS WARD, :
 :
 Plaintiff, : 14-CV-8317 (JMF)
 -v- : VERDICT FORM
 :
 GENERAL MOTORS LLC, :
 :
 Defendant. :
-----X

PLEASE CIRCLE YOUR ANSWERS

All Answers Must Be Unanimous

1. Did Plaintiff Dennis Ward prove by a preponderance of the evidence that Old GM failed to exercise reasonable care in the manufacture and/or design of Plaintiff's 2009 Chevrolet HHR?

YES

NO

Regardless of your answer to Question 1, proceed to Question 2.

2. Did Plaintiff prove by a preponderance of the evidence that Old GM and/or GM LLC (that is, New GM) negligently failed to warn Plaintiff about a defect in his 2009 Chevrolet HHR that made the vehicle unreasonably dangerous for its reasonably foreseeable use?

YES

NO

Regardless of your answer to Question 2, proceed to Question 3.

3. Did Plaintiff prove by a preponderance of the evidence that GM LLC (that is, New GM) failed to comply with applicable federal laws and regulations requiring notification and reporting, as included in the jury instructions?

YES

NO

If you answered "Yes" to ANY of the preceding three Questions, then proceed to Question 4. If you answered "No" to ALL three of the preceding Questions, then proceed directly to the signature page.

Ward v. General Motors LLC
14-CV-8317
Verdict Form

4. Did Plaintiff prove by a preponderance of the evidence that the negligence you have found on the part of Old GM and/or GM LLC (New GM) was a proximate cause of Plaintiff's injuries?

YES NO

If you answered "Yes," then proceed to Question 5. If you answered "No," then proceed directly to the signature page.

5. Did Plaintiff prove by a preponderance of the evidence that he sustained damages as a result of the negligence you have found on the part of Old GM and/or GM LLC (New GM)?

YES NO

If you answered "Yes," then proceed to Question 6. If you answered "No," then proceed directly to the signature page.

6. If, but ONLY if, you answered "Yes" to Questions 4 and 5, then you should decide on a dollar amount that will compensate Plaintiff for the damages caused to him. Plaintiff Dennis Ward proved by a preponderance of the evidence that his damages totaled:

\$ _____.

Regardless of your answer to Question 6, proceed to Question 7.

Contributory Fault:

7. Did Defendant GM LLC prove by a preponderance of the evidence that on March 27, 2014, Plaintiff was negligent in failing to perform his duty to operate his 2009 Chevrolet HHR as a reasonably prudent driver would do under the same or similar circumstances?

YES NO

If you answered "Yes," then proceed to Question 8. If you answered "No," then proceed to Question 11.

8. Did Defendant GM LLC prove by a preponderance of the evidence that Plaintiff's negligence was a proximate cause of his injuries?

YES NO

If you answered "Yes," then proceed to Question 9. If you answered "No," then proceed directly to Question 11.

Ward v. General Motors LLC
14-CV-8317
Verdict Form

9. Do you wish to reduce Plaintiff's full damages because he was partially at fault?

YES NO

If you answered "Yes," then proceed to Question 10. If you answered "No," then proceed directly to Question 11.

10. What percentage of fault for Plaintiff Dennis Ward's injuries do you assign to Old GM and GM LLC (New GM), on the one hand, and to Plaintiff, on the other? The percentages must total 100%.

Old GM/GM LLC: _____ %

Plaintiff Dennis Ward: _____ %

(Total Must Equal 100%)

Regardless of your answer to Question 10, proceed to Question 11.

Punitive Damages:

11. Did Plaintiff Dennis Ward prove by clear and convincing evidence that he is entitled to punitive damages based on GM LLC's conduct on or after July 10, 2009?

YES NO

If you answered "Yes," then proceed to Question 12. If you answered "No," then proceed to the signature page.

12. Do you wish to assess punitive damages against GM LLC?

YES NO

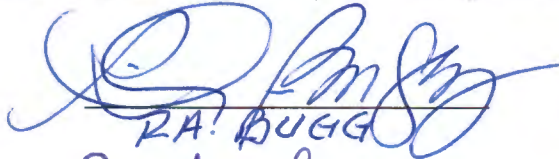
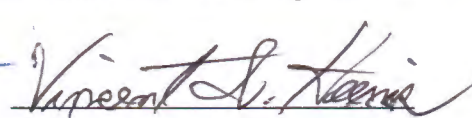

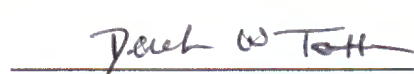
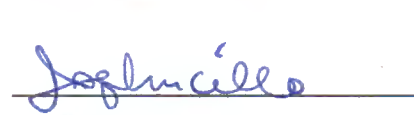
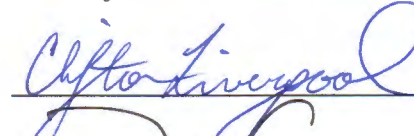

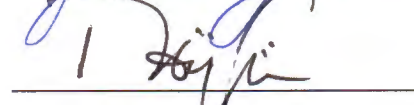

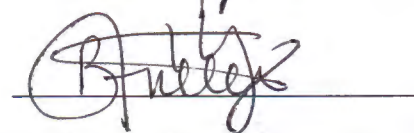
Regardless of your response to Question 12, proceed to the signature page.

Ward v. General Motors LLC
14-CV-8317
Verdict Form

SIGNATURES

Sign your names in the space provided below, fill in the date and time, and inform the Court Security Officer — with a note, not the Verdict Form itself — that you have reached a verdict.

After completing the form, each juror who agrees with this verdict must sign below:

 RA. DUGG	 Vincent L. Harris
 Dante Lewis	 Paul W. Tott
 Jocelindo	 Chitra Liverpool
 Jason Herman	 I. Hiji
 Carmen Figueroa	 P. Fuller

Date and Time: 7/19/17 ; 12⁴³ PM