

STATE OF MICHIGAN

IN THE CIRCUIT COURT FOR THE COUNTY OF WAYNE

ELIZABETH JEAN O'NEIL,

Case No.: 12 016380 NF

Plaintiff,

HON. EDWARD EWELL, JR.

vs.

TONYA R. DARR and CHAD ALAN  
DARR,

Defendant(s).

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**Allen J. Counard, Bar # P12268**

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**FORM OF VERDICT**

We, the jury, answer the questions submitted as follows:

QUESTION NO. 1:

Was the Defendant negligent?

Answer: YES (yes or no)

If your answer is "yes," go on to Question No. 2.

If your answer is "no," do not answer any further questions.

QUESTION NO. 2:

Was the Plaintiff injured?

Answer: YES (yes or no)

If your answer is "yes," go on to Question No. 3.

If your answer is "no," do not answer any further questions.

QUESTION NO. 3:

Was Defendant's negligence a proximate cause of the Plaintiff's injuries?

Answer: YES (yes or no)

If your answer is "yes," go on to Question No. 4.

If your answer is "no," do not answer any further questions.

QUESTION NO. 4:

Did the Plaintiff's injury result in a serious impairment of a body function or permanent serious disfigurement?

Answer: YES (yes or no)

If your answer is "yes," go to Question No. 5.

If your answer is "no," do not answer any further questions.

QUESTION NO. 5:

What is the total amount of Plaintiff's damages for non-economic loss for physical pain and suffering, mental anguish, fright and shock, denial of social pleasure and enjoyments, embarrassment, the increase in pain and suffering arising from the

aggravation of a pre-existing condition and/or permanent serious disfigurement from May 11, 2012 to today?

Answer: \$ 168,627.92 (Includes interest)

QUESTION NO. 6:

Will the plaintiff sustain noneconomic loss damages in the future for physical pain and suffering, mental anguish, fright and shock, denial of social pleasure and enjoyments, embarrassment, the increase in pain and suffering arising from the aggravation of a pre-existing condition and/or permanent serious disfigurement?

Answer: YES (yes or no)

If your answer is "yes," go on to Question #7

If your answer is "no," do not answer any further questions.

QUESTION NO. 7:

Give the total amount for each year in which the Plaintiff will incur such noneconomic damages in the future:

Answer:	\$ <u>8,312.50</u>	for the balance of 2014
	\$ <u>33,250.<sup>00</sup></u>	2015
	\$ <u>33,250.<sup>00</sup></u>	2016
	\$ <u>33,250.<sup>00</sup></u>	2017
	\$ <u>33,250.<sup>00</sup></u>	2018
	\$ <u>33,250.<sup>00</sup></u>	2019
	\$ <u>33,250.<sup>00</sup></u>	2020
	\$ <u>33,250.<sup>00</sup></u>	2021
	\$ <u>33,250.<sup>00</sup></u>	2022

\$ 33,250.<sup>00</sup> 2023  
\$ 33,250.<sup>00</sup> 2024  
\$ 33,250.<sup>00</sup> 2025  
\$ 33,250.<sup>00</sup> 2026  
\$ 33,250.<sup>00</sup> 2028

QUESTION NO. 8

Was the Plaintiff negligent?

Answer: YES (yes or no)

If your answer is "yes," go to Question No. 9.

If your answer is "no," do not answer any further questions.

QUESTION NO. 9:

Was the Plaintiff's negligence a proximate cause of the injury or damage to Plaintiff?

YES (yes or no)

If your answer is "yes," go to Question No. 10.

If your answer is "no," do not answer any further questions.

QUESTION NO. 10.

Using 100 percent as the total, enter the percentage of negligence attributable to plaintiff and the percentage of negligence attributable to defendant. (The total of these must equal 100%.)

Defendant Darr: 75 %      Plaintiff O'Neil: 25 %

(the total must equal 100%)

Please note that the judge will reduce the total amount of the Plaintiff's damages entered in Question No. 5 and 7 by the percentage of fault attributable to Plaintiff, if any, entered in Question No. 10.

Signed,

Deborah R. Rogew

Foreperson

Date: 9-12-2014