

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF FLORIDA
PENSACOLA DIVISION**

IN RE: 3M COMBAT ARMS
EARPLUG PRODUCTS
LIABILITY LITIGATION

Case No. 3:19-md-2885

This Document Relates to:
Beal, Case No. 7:20-cv-00006

Judge M. Casey Rodgers
Magistrate Judge Gary R. Jones

VERDICT FORM

We, the jury, in the above entitled and numbered case, unanimously find as follows on Plaintiff James Beal's claims and 3M's affirmative defense, based on the Court's instructions on the law and the evidence:

I. Plaintiff's Claims:

(1) Strict Liability—Design Defect

Proven ___ Not Proven

(2) Strict Liability—Failure to Warn and/or Instruct

Proven ___ Not Proven

(3) Negligence—Design Defect

Proven ___ Not Proven

(4) Negligence—Failure to Warn and/or Instruct

Proven ___ Not Proven

(5) Fraudulent Misrepresentation

Proven Not Proven

(6) Fraudulent Concealment

Proven Not Proven

(7) Negligent Misrepresentation

Proven Not Proven

If you have found any claim proven—claims (1), (2), (3), (4), and (7) by a preponderance of the evidence and claims (5) and (6) by clear and convincing evidence—proceed to Section II (3M’s Affirmative Defense). But if you found only claim (5) and/or (6) proven, you should skip Section II (3M’s Affirmative Defense) and proceed to Section III (Compensatory Damages), then skip Section IV (Apportionment of Fault).

If you have not found any claim above proven, your deliberations are complete, and you should have the Foreperson sign and date the Verdict Form.

II. 3M’s Affirmative Defense:

(1) Comparative Negligence:
(strict liability and negligence claims only)

(a) Mr. Beal

Proven Not Proven

If you have found affirmative defense (1)(a) not proven by a preponderance of the evidence, you should proceed to Section III (Compensatory Damages), then skip Section IV (Apportionment of Fault).

If you have found affirmative defense (1)(a) proven by a preponderance of the evidence, you should proceed to Section III (Compensatory Damages), then complete Section IV (Apportionment of Fault). In determining Compensatory Damages in Section III, you should not make any reduction in the amount of damages you award based on the fault, if any, of Mr. Beal. The Court in entering judgment will take into account your allocation of fault among all persons or entities who you find contributed to Mr. Beal's damages.

III. Compensatory Damages:

If you have found in favor of Mr. Beal on any of his claims, state the total compensatory damages, if any, you find:

\$ 5,000,000

IV. Apportionment of Fault:
(strict liability and negligence claims only)

If you have found any of the persons or entities listed below was at fault and thereby caused or contributed to Mr. Beal's injuries, then it is necessary for you to determine the percentage of fault that should be apportioned to each. If you find no fault, then you should place a "0" by that name. Your allocation of fault must equal 100%.

3M _____%

Mr. Beal _____%

If you awarded compensatory damages to Mr. Beal, you should consider his claim for punitive damages. If you did not award compensatory damages, your deliberations are complete, and the Foreperson should sign and date this Verdict Form.

V. Punitive Damages:

Proven Not Proven

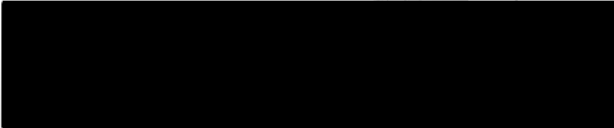
If you found punitive damages not proven, your deliberations are complete, and you should have the Foreperson sign and date the Verdict Form.

If you found punitive damages proven by clear and convincing evidence, please state the amount of punitive damages imposed:

\$ 72,500,000

Your deliberations are now complete, and you should have the Foreperson sign and date this Verdict Form.

SO SAY WE ALL, this 20th day of May, 2022.



Foreperson's Signature