

IN THE CIRCUIT COURT OF THE 11TH
JUDICIAL CIRCUIT, IN AND FOR
MIAMI-DADE COUNTY, FLORIDA

GENERAL JURISDICTION DIVISION

CASE NO.: 02-11335 CA02

WILLIAM MEREDITH, as Personal
Representative of the Estate of
CHAD MEREDITH, deceased,

Plaintiff,

vs.

TRAVIS MONTGOMERY and DAVID MAY,
Individually and as members of EPSILON BETA
CHAPTER OF KAPPA SIGMA FRATERNITY,

Defendants.

VERDICT

We, the jury, return the following verdict:

1. Were the defendants acting as fraternity members on behalf of the fraternity at the time and place of the incident?

Travis Montgomery

YES

NO

David May

YES

NO

If your answer to question 1 is no as to both defendants, skip to question 3 and do not answer question 2. If your answer to question 1 is yes as to one or both of the defendants, answer question 2 as to those defendant(s).

2. Was there negligence on the part of the defendants in exposing Chad Meredith to harm which was a legal cause of his death?

Travis Montgomery

YES

NO

David May

YES

NO

3. Did the defendants' conduct, whether negligent or not, cause Chad Meredith to be in danger?

Travis Montgomery	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>
David May	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>

If your answer to question 3 is no as to both defendants, do not answer question 4. If your answer to question 3 is yes as to one or both of the defendants, answer 4 as to those defendant(s).

4. Was there negligence on the part of the defendants in failing to make a reasonable effort to render assistance to Chad Meredith which was a legal cause of his death?

Travis Montgomery	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>
David May	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>

If your answer to questions 1 and 3 or 2 and 4 are NO as to both defendants, your verdict is for the defendants, and you should not proceed further except to date and sign this verdict form and return it to the courtroom. If your answer to question 2 or 4 is YES as to either defendant, please answer question 5.

5. Was there negligence on the part of Chad Meredith which was a legal cause of his own death.

YES NO

6. State the percentage of any negligence which was a legal cause of the death of Chad Meredith that you charge to:

Travis Montgomery	<u>45</u> %
David May	<u>45</u> %
Chad Meredith	<u>10</u> %

TOTAL MUST BE 100%

Your answers to question 6 must total 100%, and should include a zero for any person you found not negligent in answer to both questions 2 and 4 or in answer to question 5.

If you found Chad Meredith to be more than 50% negligent in question 6, please answer question 7. If you found that Chad was less than 50% negligent, skip question 7 and proceed to question 8.

7. Is more than 50% of the total negligence in this case due to Chad Meredith being under the influence of alcohol?

YES _____ NO _____

If your answer to this question is yes, your verdict is for the defendants and you should not proceed further except to date and sign this verdict form and return it to the courtroom. If your answer to question 7 is NO, please answer question 8.

8. In determining the total amount of damages suffered by William and Carol Meredith, do not make any reduction because of the negligence, if any, of Chad Meredith. If you find Chad Meredith negligent in any degree, the court, in entering judgment, will reduce the total amount of William and Carol Meredith's damages (100%) by the percentage of negligence which you find chargeable to Chad Meredith. What is the total amount (100%) of any damages sustained by William and Carol Meredith in pain and suffering as a result of Chad Meredith's injury and death?

William Meredith	\$ <u>7,000,000</u>
Carol Meredith	\$ <u>7,009,000</u>

SO SAY WE ALL this ___ day of _____, 2004.

Foreperson