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SUPERIOR COURT OF CALIFORNIA
COUNTY OF HUMBOLDT

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**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF HUMBOLDT**

CARLA ALLEN

Plaintiff,

v.

BRENNTAG NORTH AMERICA, INC, et al.

Defendants.

Case No. DR180132

JURY VERDICT FORM

*[Assigned to the Honorable Timothy Canning,
Courtroom 1]*

WE, THE JURY, in the above-entitled action, find the following jury verdict on the
questions submitted to us:

1 1. Was Carla Allen exposed to asbestos from Johnson's Baby Powder?

2 Yes No

3
4 *Instructions:* If you answered "No" in Question No. 1, answer no further questions, and have the
5 presiding juror sign and date this form. If you answered "Yes" in Question No. 1, answer
6 Question No. 2.

7 **SECTION A: Strict Liability—Manufacturing Defect**

8
9 2. Did the Johnson's Baby Powder used by Carla Allen contain a manufacturing defect
10 when it left Johnson & Johnson / JJCI's possession?

11 Yes No

12
13 *Instructions:* If you answered "No" in Question No. 2, then skip Question No. 3 and proceed to
14 Section B. If you answered "Yes" in Question No. 2, then answer Question No. 3.

15 3. Was the manufacturing defect in the Johnson's Baby Powder that Carla Allen used a
16 substantial factor in causing her mesothelioma?

17 Yes No

18
19 *Instructions:* Proceed to Section B.

20
21 **SECTION B: Strict Liability—Design Defect**

22
23 4. Did the Johnson's Baby Powder used by Carla Allen fail to perform as safely as an
24 ordinary consumer would have expected when used or misused in an intended or
25 reasonably foreseeable way?

26 Yes No

27 *Instructions:* If you answered "Yes" to Question No. 4, then answer Question No. 5. If you
28 answered "No" to Question No. 4, then skip Question No. 5, and proceed to Section C.

1 5. Was the design of the Johnson's Baby Powder used by Carla Allen a substantial factor
2 in causing her mesothelioma?

3 Yes _____ No _____

4
5 *Instructions:* Proceed to Section C.

6 **SECTION C: Strict Liability—Failure to Warn**

7
8 6. Did the Johnson's Baby Powder used by Carla Allen have potential risks that were
9 known or knowable in light of the scientific and medical knowledge that was generally
10 accepted in the scientific and medical communities at the time of manufacture,
11 distribution or sale?

12 Yes No _____

13 *Instructions:* If you answered "No", then skip Questions Nos. 7-10 and proceed to Section D. If
14 you answered "Yes", answer Question No. 7.

15
16 7. Did the potential risks of the Johnson's Baby Powder used by Carla Allen present a
17 substantial danger to her when using or misusing the product in an intended or
18 reasonably foreseeable way?

19 Yes _____ No

20 *Instructions:* If you answered "No", then skip Questions Nos. 8-10 and proceed to Section D. If
21 you answered "Yes", answer Question No. 8.

22
23 8. Would ordinary consumers have failed to recognize the potential risks of the Johnson's
24 Baby Powder used by Carla Allen?

25 Yes _____ No _____

26
27 *Instructions:* If you answered "No", then skip Questions Nos. 9-10 and proceed to Section D. If
28 you answered "Yes", answer Question No. 9.

1 **9. Did Johnson & Johnson / JJCI fail to adequately warn of the potential risks in the**
2 **Johnson's Baby Powder that Carla Allen used?**

3 Yes _____ No _____

4
5 *Instructions:* If you answered "No", then skip Question No. 10 and proceed to Section D. If you
6 answered "Yes, answer Question No. 10.

7 **10. Was the lack of sufficient warnings on the Johnson's Baby Powder that Carla Allen**
8 **used a substantial factor in causing her mesothelioma?**

9 Yes _____ No _____

10
11 *Instructions:* Proceed to Section D and follow instructions.

12
13 **SECTION D: Negligence**

14
15 *Instructions:* If you answered "No" to or skipped Question Nos. 3, 5, and 10, then stop here,
16 answer no further questions, and have the presiding juror sign and date this form. If you
17 answered "Yes" to Question No. 3, 5, or 10, answer Question No. 11.

18 **11. Was Johnson & Johnson / JJCI negligent in designing, manufacturing, or selling the**
19 **Johnson's Baby Powder used by Carla Allen?**

20 Yes _____ No _____

21
22 *Instructions:* If you answered "No" to Question No. 11, then skip Question No. 12 and proceed
23 to Section E. If you answered "Yes" to Question No. 11, answer Question No. 12.

24 **12. Was Johnson & Johnson / JJCI's negligence a substantial factor in causing Carla**
25 **Allen's mesothelioma?**

26 Yes _____ No _____

27
28 *Instructions:* Proceed to Section E.

1 **SECTION E: Damages—Economic and Non-Economic**

2
3 13. What do you find to be the total amount of economic damages, if any, suffered by
4 Carla Allen?

5 **PAST ECONOMIC DAMAGES**

6 Carla Allen's Past Medical Expenses \$ _____

7 Carla Allen's Past Lost Earnings \$ _____

8 **FUTURE ECONOMIC DAMAGES**

9 Carla Allen's Future Medical Expenses \$ _____

10 Carla Allen's Future Lost Earnings \$ _____

11 **TOTAL ECONOMIC DAMAGES:** \$ _____

12
13 *Instructions:* Proceed to Question No. 14.

14
15 14. What are Carla Allen's past non-economic damages, if any, for: physical pain, mental
16 suffering, loss of enjoyment of life, disfigurement, physical impairment, inconvenience,
17 anxiety, humiliation, and emotional distress.

18 \$ _____

19 *Instructions:* Proceed to Question No. 15.

20
21 15. What are Carla Allen's future non-economic damages, if any, for: physical pain,
22 mental suffering, loss of enjoyment of life, disfigurement, physical impairment,
23 inconvenience, anxiety, humiliation, and emotional distress.

24 \$ _____

25 *Instructions:* If your answers to Questions Nos. 13, 14, and 15 add up to zero, then stop here,
26 answer no further questions, and have the presiding juror sign and date this verdict form. If your
27 answers to Questions Nos. 13, 14, and 15 add up to a dollar amount greater than zero, answer
28 Question No. 16.

1 16. If 100% represents the total fault that was the cause of Carla Allen's mesothelioma,
2 what percentage of this 100% was due to the fault of the companies or contributing
3 factors listed below. The total fault must add up to 100%.

4 Colgate-Palmolive Co.	___%
5 Johnson & Johnson / JJCI	___%
6 Imerys Talc America, Inc.	___%
7 Jean Nate	___%
8 Johns-Manville Corporation	___%
9 Louisiana-Pacific Corporation	___%
10 Sanders Associates	___%
11 Yardley of London / Lily of the Valley	___%
12 Other	___%
13 TOTAL	100%

14 *Instructions:* If you allocated zero percentage of fault to Johnson & Johnson / JJCI, stop here,
15 answer no further questions, and have the presiding juror sign and date the form. If you
16 allocated a percentage of fault to Johnson & Johnson / JJCI, proceed to Section F.

17 **SECTION F: Punitive Damages**

18 17. Do you find by clear and convincing evidence that Johnson & Johnson / JJCI acted
19 with malice, oppression, or fraud in the conduct upon which you base your finding of
20 liability?

21 Yes ___ No ___

22
23 *Instructions:* If you answered "No", then stop here, answer no further questions, and have the
24 presiding juror sign and date this verdict form. If you answered "Yes", answer Question No. 18.
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18. Do you find by clear and convincing evidence that the conduct constituting malice, oppression, or fraud was committed by one or more officers, directors, or managing agents of Johnson & Johnson / JJCI, acting on behalf of Johnson & Johnson / JJCI?

Yes _____ No _____

Please have the Presiding Juror sign and date the form.

Dated: 11-14-2018


PRESIDING JUROR

After this verdict has been signed and dated, notify the court clerk that you are ready to present your verdict in the courtroom.