

IN THE STATE COURT OF GWINNETT COUNTY
STATE OF GEORGIA

SUSAN BERNECKER and HAGEN)
BERNECKER, individually, and SUSAN)
BERNECKER as the Executrix of the Estate)
of JOHN BERNECKER, Deceased,)
Plaintiffs,)
v.) **CIVIL ACTION FILE**
) **NO. 18-C-00435-S1**
)
STALWART FILMS, LLC, TWD)
PRODUCTIONS VIII, LLC,)
AMC NETWORKS, INC., TOM LUSE,)
JEFFREY F. JANUARY, MONTY SIMONS)
and AUSTIN AMELIO,)
Defendants.)
_____)

VERDICT FORM

WE, THE JURY, in the above-styled action find as follows:

- (1) As to John Bernecker's working status on the date of the stunt, do you find by a preponderance of the evidence that:

John Bernecker was an independent contractor at Stalwart Films, LLC.

OR

John Bernecker was an employee of Stalwart Films, LLC.

Please proceed to question 2.

- (2) As to the allegations of negligence against the Defendants:

We, the Jury, find in favor of Plaintiffs.

OR

We, the Jury, find in favor of Defendants.

If you have found in favor of Defendants, STOP HERE. Have the foreperson sign and date the verdict form. You do not need to answer any further questions.

If you have found in favor of Plaintiffs, please proceed to answer questions 3 and 4 below.

(3) Do you find that any of the individuals listed below were negligent and a proximate cause of the death of John Bernecker:

A. John Bernecker	Yes	<u>✓</u>	No	<u> </u>
B. Tom Luse	Yes	<u>✓</u>	No	<u> </u>
C. Jeff January	Yes	<u>✓</u>	No	<u> </u>
D. Monty Simons	Yes	<u>✓</u>	No	<u> </u>
E. Austin Amelio	Yes	<u> </u>	No	<u>✓</u>
F. Stalwart Films, LLC	Yes	<u>✓</u>	No	<u> </u>
G. TWD Productions VIII, LLC	Yes	<u>✓</u>	No	<u> </u>
H. AMC Networks, Inc.	Yes	<u> </u>	No	<u>✓</u>

(4) It is necessary for you to determine the percentage of fault below for each individual in question (3) above that you answered "Yes" to and found to be negligent and a proximate cause of the death of John Bernecker.

For any individual you answered "No" to in question (3) above, you should place a "0" by that name below. **Your allocation of fault must add up to 100%:**

A. John Bernecker	<u>6</u>	%
B. Tom Luse	<u>15</u>	%
C. Jeff January	<u>10</u>	%
D. Monty Simons	<u>4</u>	%
E. Austin Amelio	<u>0</u>	%
F. Stalwart Films, LLC	<u>40</u>	%
G. TWD Productions VIII, LLC	<u>25</u>	%
H. AMC Networks, Inc.	<u>0</u>	%
TOTAL PERCENTAGE OF FAULT:	<u>100</u>	%

If you have found that John Bernecker's fault is 50% or more, STOP HERE. Have the foreperson sign and date the verdict form. You do not need to answer any further questions.

If you have found that John Bernecker's fault is less than 50%, please continue to the next page.

(5) Having found in favor of Plaintiffs, what damages, if any, do you find for:

Full value of the life of John Bernecker: \$ 0,500,000.00

John Bernecker's conscious pain and suffering: \$ 100,000.00

TOTAL DAMAGES: \$ 0,600,000.00

(6) As to Plaintiffs' claims for punitive damages against Defendants, for each individual in question (3) above that you answered "Yes" to and found to be negligent and a proximate cause of the death of John Bernecker, **and is listed below**, do you also find by clear and convincing evidence that that Defendant's actions showed willful misconduct, malice, fraud, wantonness, oppression or that entire want of care which would raise the presumption of conscious indifference to consequences?

Stalwart Films, LLC	Yes _____	No <u>✓</u>
TWD Productions VIII, LLC	Yes _____	No <u>✓</u>
AMC Networks, Inc.	Yes _____	No <u>✓</u>

If you find that punitive damages are warranted as to any of the parties in (6) above, do not enter a punitive damages amount at this time. Please STOP HERE and await further instruction from the Court.

Please have the foreperson sign and date below.

This 19th day of December, 2019.

[Signature]
JURY FOREPERSON

Emily Sjostrom
PRINTED NAME