

IN THE SUPERIOR COURT OF RABUN COUNTY
STATE OF GEORGIA

STEPHAN PAUL BATCHELDER and
MARGARET MARY BATCHELDER,
Individually, as Administrators of the Estate of
RYAN PAUL BATCHELDER, deceased,

Plaintiffs,

v.

MALIBU BOATS, LLC, f/k/a Malibu BOATS
INC.; MALIBU BOATS WEST, INC., *et al.*

Defendants.

CIVIL ACTION
FILE NO. 2016-CV-0114-C

SPECIAL INTERROGATORIES AND VERDICT

In the above-styled matter, we the jury find as follows:

Please answer the following questions:

1. Did any of the following Defendants act with a reckless or wanton disregard for life or property in the design of the 2000 Malibu Response LX, and was that conduct a proximate cause of the death of Ryan Batchelder?

a. Malibu Boats West, Inc. no (YES or NO)

b. Malibu Boats, LLC no (YES or NO)

c. Malibu Boats, Inc. no (YES or NO)

2. Did any of the following Defendants negligently fail to warn of a hazard posed by the 2000 Malibu Response LX, and was that conduct a proximate cause of the death of Ryan Batchelder?

a. Malibu Boats West, Inc. yes (YES or NO)

b. Malibu Boats, LLC yes (YES or NO)

c. Malibu Boats, Inc. no (YES or NO)

If you answered "YES" to any of the above questions, please answer the following questions:

3. State the amount of damages, if any, you find Plaintiffs are entitled by law to recover from Defendants you have found responsible for:

Full value of the life of Ryan Batchelder \$ 5 mill.

Pain and suffering of Ryan Batchelder \$ 75 mill

4. State the percentage of fault of each of the following (the total must equal 100%):

Malibu Boats West, Inc. 10 %

Malibu Boats, LLC 15 %

Malibu Boats, Inc. 0 %

Dennis Ficarra 75 %

5. Do you find that Malibu Boats, LLC is a legal successor of, and responsible for the liabilities of, Malibu Boats West, Inc.?

yes (YES or NO)

Punitive Damages

If you find in favor of Plaintiffs, please answer the following:

Plaintiffs are entitled by law to recover punitive damages against Malibu Boats West, Inc.

✓ (YES) (NO)

Plaintiffs are entitled by law to recover punitive damages against Malibu Boats, LLC.

✓ (YES) (NO)

Plaintiffs are entitled by law to recover punitive damages against Malibu Boats, Inc.

 (YES) ✓ (NO)

If yes, please wait for further instructions from the Court before considering the amount of punitive damages.

8/28/2021
Date

Laura Davis
Foreperson

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STEPHAN PAUL BATCHELDER and
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PHASE TWO VERDICT – PUNITIVE DAMAGES

State the amount of punitive damages, if any, you impose against the following
Defendants:

Malibu Boats West, Inc.

\$ 40 mill.

Malibu Boats, LLC

\$ 80 mill.

8/28/2021
Date

Laura Davis
Foreperson

FILED IN OFFICE OF CLERK SUPERIOR COURT
RABUN COUNTY, GEORGIA. THIS 28 DAY OF

August, 2021
Holly E. Henry-Perry Jessica Brown
CLERK CLERK

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STATE OF GEORGIA

STEPHAN PAUL BATCHELDER and
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FILED IN OFFICE OF CLERK SUPERIOR COURT
RABUN COUNTY, GEORGIA. THIS 28 DAY OF
August, 2021
Holly E. Henry Perry
HOLLY E. HENRY-PERRY CLERK

JUDGMENT

This case was heard by a Jury of twelve, and the Jury reached a verdict for Plaintiffs Stephan Paul Batchelder and Margaret Mary Batchelder, Individually, and as Administrators of the Estate of Ryan Batchelder, deceased, on August 28, 2021. The Verdict was published in open Court finding that Defendants Malibu Boats West, Inc., and Malibu Boats, LLC are liable for failing to warn of a hazard posed by the 2000 Malibu Response LX, and that such conduct was a proximate cause of the death of Ryan Batchelder. This Court hereby approves the Verdict:

The Jury's Verdict apportioned fault as follows:

Malibu Boats West, Inc.:	10%
Malibu Boats, LLC:	15%
Malibu Boats, Inc.:	0%
Dennis Ficarra (Non-Party):	75%

The Verdict of the Jury in the compensatory phase of the trial was as follows:

Full value of the life of Ryan Batchelder:	\$5,000,000.00
Pain and suffering of Ryan Batchelder:	\$75,000,000.00

Moreover, the Jury found, via Special Interrogatory, that Defendant Malibu Boats, LLC is a mere continuation, and thus a legal successor that is responsible for the liabilities of, Malibu Boats West, Inc.

Finally, the jury found that Malibu Boats West, Inc., and Malibu Boats, LLC are liable to Plaintiffs for punitive damages as follows:

Malibu Boats West, Inc.:	\$40,000,000.00
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Malibu Boats, LLC:	\$80,000,000.00
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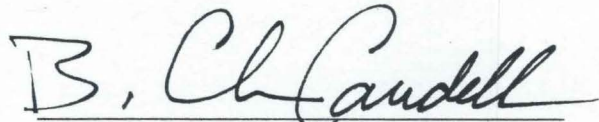
Applying the apportioned fault to the damages identified by the Jury in its Verdict, Judgment is accordingly entered in favor of Plaintiffs Stephan Paul Batchelder and Margaret Mary Batchelder, Individually, as Administrators of the Estate of Ryan Batchelder, deceased, and against the following Defendants, as follows:

Malibu Boats West, Inc. and Malibu Boats, LLC (jointly):	\$48,000,000.00
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Malibu Boats, LLC.:	\$92,000,000.00
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The Court finds that the prime rate as published by the Board of Governors of the Federal Reserve System is 3.25% as of the date of this Judgment. Under O.C.G.A. § 7-4-12, this judgment will therefore bear interest at 6.25% per annum.

SO ORDERED this 28th day of August, 2021.



The Honorable B. Chan Caudell
Superior Court of Rabun County
Mountain Judicial Circuit