

IN THE IOWA DISTRICT COURT FOR POLK COUNTY

MICHAEL JONATHAN	)	Case No. LACL159200
SCHNACKENBERG,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	
	)	
CHARLES GABUS MOTORS, INC.,	)	<b>VERDICT FORM</b>
d/b/a TOYOTA OF DES MOINES,	)	
	)	
Defendant.	)	

Reso FILED 1/12/26  
 POLK COUNTY, IA.  
 2026 JAN - 7 PM 4: 38  
 CLERK DISTRICT COURT

We, the jury, find the following Verdict on the questions submitted to us:

**Question No. 1:** Did the negotiation process between Plaintiff and Defendant leading up to the agreement to purchase the electronic vehicle include an unfair practice, deception, fraud, false pretense, false promise, or misrepresentation, concealment, suppression or omission of a material fact?

Answer "yes" or "no."

ANSWER: NO

(If your answer is "yes," move on to Question No. 2. If your answer is "no," do not answer any further questions and sign the Verdict Form.)

**Question No. 2:** Did the negotiation process between Plaintiff and Defendant leading up to the agreement to purchase the electric vehicle include an unfair practice, deception, fraud, false pretense, false promise or misrepresentation, concealment, suppression or omission of a material fact regarding charge time?

Answer "yes" or "no."

ANSWER: \_\_\_\_\_

(If your answer is "yes," move on to Question No. 3. If your answer is "no," move on to Question No. 4.)

**Question No. 3:** Was the unfair practice, deception, fraud, false pretense, false promise, or misrepresentation, concealment, suppression or omission regarding charge time related to a material fact?

Answer "yes" or "no."

ANSWER: \_\_\_\_\_

(If your answer is “yes,” move on to Question No. 4. If your answer is “no,” move on to Question No. 5.)

**Question No. 4:** Did Defendant intend that Plaintiff rely on the unfair practice, deception, fraud, false pretense, false promise or misrepresentation, concealment, suppression or omission regarding charge time?

Answer “yes” or “no.”

ANSWER: \_\_\_\_\_

(Move on to the next question.)

**Question No. 5:** Did the negotiation process between Plaintiff and Defendant leading up to the agreement to purchase the electric vehicle include an unfair practice, deception, fraud, false pretense, false promise, or misrepresentation, concealment, suppression, or omission regarding range?

Answer “yes” or “no.”

ANSWER: \_\_\_\_\_

(If your answer is “yes,” move on to Question No. 6. If your answer is “no” and you answered yes to Question No. 4, move on to question 10. If your answer is “no” and you answered “no” to Question No. 4, do not answer any further questions and sign the Verdict Form.)

**Question No. 6:** Was the unfair practice, deception, fraud, false pretense, false promise, or misrepresentation, concealment, suppression or omission regarding range related to a material fact?

Answer “yes” or “no.”

ANSWER: \_\_\_\_\_

(If your answer is “yes,” move on to Question No. 7. If your answer is “no” and you answered yes to Question No. 4, move on to question 10. If your answer is “no” and you answered “no” to Question No. 4, do not answer any further questions and sign the Verdict Form.)

**Question No. 7:** Did Defendant intend that Plaintiff rely on the unfair practice, deception, fraud, false pretense, false promise, or misrepresentation, concealment, suppression or omission regarding range?

Answer “yes” or “no.”

ANSWER: \_\_\_\_\_

(If your answer is “yes,” move on to Question No. 8. If your answer is “no” and you answered yes to Question No. 4, move on to question 10. If your answer is “no” and you answered “no” to Question No. 4, do not answer any further questions and sign the Verdict Form.)

**Question No. 8:** Did Plaintiff suffer an ascertainable loss of money or property as the result of an unfair practice, deception, fraud, false pretense, false promise, or misrepresentation, concealment, suppression or omission?

ANSWER: \_\_\_\_\_

(If your answer is “yes,” move on to Question No. 9. If your answer is “no” and you answered yes to Question No. 4, move on to Question 10. If your answer is “no” and you answered “no” to Question No. 4, do not answer any further questions and sign the Verdict Form.)

**Question No. 9:** Did the unfair practice, deception, fraud, false pretense, false promise, or misrepresentation, concealment, suppression or omission cause actual damages?

ANSWER: \_\_\_\_\_

(If your answer is “yes,” move on to Question No. 10. If your answer is “no” and you answered yes to Question No. 4, move on to question 10. If your answer is “no” and you answered “no” to Question No. 4, do not answer any further questions and sign the Verdict Form.)

**Question No. 10:** Did Defendant prove its defense of failure to mitigate damages?

Answer “yes” or “no.”

ANSWER: \_\_\_\_\_

(If the answer is “yes,” move on to Question 10A; if your answer is “no,” move on to Question 11.)

**Question No. 10A:** State the amount of damages that Plaintiff failed to mitigate:

\$ \_\_\_\_\_

**Question No. 11:** Did Defendant prove its defense of bona fide error as to any of the alleged violations of the consumer fraud statute?

Answer “yes” or “no.”

ANSWER: \_\_\_\_\_

(If your answer to either Question 10 or 11 is "yes," do not answer any further questions and sign the Verdict Form. If your answer to both Questions 10 and 11 is "no," move on to Question No. 12.)

**Question No. 12:** Enter the amount you award Plaintiff as actual damages after removing the amount of damages Plaintiff failed to mitigate:

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(Move on to the next question.)

**Question No. 13:** Did Plaintiff prove by a preponderance of clear, convincing and satisfactory evidence that Defendant acted with willful and wanton disregard of Plaintiff's rights?

Answer "yes" or "no."

ANSWER: \_\_\_\_\_

(If you answer "yes," move on to Question No. 14. If you answer "no," do not answer any more questions and move on to signing the Verdict Form.)

**Question No. 14:** Enter an amount, if any, to award Plaintiff as statutory damages for Defendant's consumer fraud. NOTE: You may award up to, but no greater than, three times the amount of actual damages you awarded in Question No. 12.

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\_\_\_\_\_  
FOREPERSON\*

\* To be signed by the foreperson only if the verdict is unanimous.

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Juror\*\*

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Juror\*\*

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Juror\*\*

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Juror\*\*

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Juror\*\*

\*\* To be signed by the jurors agreeing thereto after six hours or more of deliberation.