

IN THE IOWA DISTRICT COURT IN AND FOR STORY COUNTY

WESTCO AGRONOMY COMPANY, LLC,)

Plaintiff/Counterclaim Defendant,)

v.)

WILLIAM S. WOLLESEN a/k/a BILL)

WOLLESEN; KRISTI J. WOLLESEN;)

WILLIAM S. AND KRISTI J. WOLLESEN)

REVOCABLE TRUST; JOHN W.)

WOLLESEN; IOWA PLAINS FARMS;)

and CHAD A. HARTZLER,)

Defendants,)

IOWA PLAINS FARMS,)

Counterclaim Plaintiff/)

Third-Party Plaintiff,)

v.)

WEST CENTRAL COOPERATIVE,)

Third-Party Defendant.)

Case No. LACV046817

VERDICT FORM AND
SPECIAL INTERROGATORIES

2014 AUG -7 PM 12: 31
CLERK OF DISTRICT COURT
STORY COUNTY, NEVADA, IA

FILED

CHAD HARTZLER

On the claims of Westco against Chad Hartzler, we the Jury find as follows

Question No. 1 Did Westco prove that Chad Hartzler breached his duties owed to Westco as his employer? (Please mark an "X" in the appropriate space)

Yes X No _____

Question No. 2 If your answer to Question No 1 was "Yes", was Chad Hartzler's breach the cause of damage to Westco? (Please mark an "X" in the appropriate space)

Yes X No _____

Question No. 3 Did Westco prove that Chad Hartzler engaged in ongoing unlawful conduct? (Please mark an "X" in the appropriate space)

Yes X No _____

Question No. 4 If your answer to Question No 4 was "Yes", place an "X" next to each way in which Chad Hartzler engaged in ongoing unlawful conduct

_____ Committed commercial bribery for financial gain on a continuing basis

_____ Knowingly received any proceeds of commercial bribery for financial gain on a continuing basis

Question No. 5 If your answer to Question No 3 was "Yes", was Chad Hartzler's ongoing unlawful conduct the cause of damage to Westco? (Please mark an "X" in the appropriate space)

Yes X No _____

Question No. 6 If your answer to either Question No 2 or No 5 was "Yes", Westco is entitled to damages from Chad Hartzler What amount do you order Chad Hartzler to pay Westco for its damages?

\$ 485,315

Question No. 7 Do you find by a preponderance of clear, convincing and satisfactory evidence the conduct of Chad Hartzler constituted willful and wanton disregard for the rights of Westco?

Yes X No _____

Question No. 8 If your answer to Question No 7 was "Yes", what amount of punitive damages, if any, do you award?

ANSWER \$0

Question No. 9 If your answer to Question No 7 was "Yes", was the conduct of Chad Hartzler directed specifically at Westco?

Yes _____ No X

BILL WOLLESEN

On the claims of Westco against Bill Wollesen, we the Jury find as follows

Question No. 10 Did Westco prove that Bill Wollesen conspired with Chad Hartzler to breach the duties Chad Hartzler owed to Westco as his employer? (Please mark an "X" in the appropriate space)

Yes _____ No X

Question No. 11 If your answer to Question No 10 was "Yes", was Bill Wollesen's conspiracy with Chad Hartzler the cause of damage to Westco? (Please mark an "X" in the appropriate space)

Yes _____ No _____

Question No. 12 Did Westco prove that Bill Wollesen engaged in ongoing unlawful conduct? (Please mark an "X" in the appropriate space)

Yes _____ No X

Question No. 13 If your answer to Question No 12 was "Yes", place an "X" next to each way in which Bill Wollesen engaged in ongoing unlawful conduct

_____ Committed commercial bribery for financial gain on a continuing basis

_____ Participated, directly or indirectly, in the Wollesen Trust knowing that the Wollesen Trust was being conducted through commercial bribery for financial gain on a continuing basis

_____ Participated, directly or indirectly, in Iowa Plains Farms knowing that Iowa Plains Farms was being conducted through commercial bribery for financial gain on a continuing basis

_____ Knowingly received any proceeds of commercial bribery for financial gain on a continuing basis

_____ Knowingly received any proceeds of commercial bribery for financial gain on a continuing basis, and used or invested, directly or indirectly, any part of such proceeds in the establishment or operation of Iowa Plains Farms

_____ Knowingly received any proceeds of commercial bribery for financial gain on a continuing basis, and used or invested, directly or indirectly, any part of such proceeds in the establishment or operation of the Wollesen Trust

Question No. 11 If your answer to Question No 12 was "Yes", was Bill Wollesen's ongoing unlawful conduct the cause of damage to Westco? (Please mark an "X" in the appropriate space)

Yes _____ No _____

Question No. 13 If your answer to either Question No 11 or No 14 was "Yes", Westco is entitled to damages from Bill Wollesen What amount do you order Bill Wollesen to pay Westco for its damages?

\$ _____

Question No. 14 Do you find by a preponderance of clear, convincing and satisfactory evidence the conduct of Bill Wollesen constituted willful and wanton disregard for the rights of Westco?

Yes _____ No X

Question No. 17 If your answer to Question No 16 was "Yes", what amount of punitive damages, if any, do you award?

ANSWER \$ _____

Question No. 18 If your answer to Question No 16 was "Yes", was the conduct of Bill Wollesen directed specifically at Westco?

Yes _____ No _____

KRISTI WOLLESEN

On the claims of Westco against Kristi Wollesen, we the Jury find as follows

Question No. 19 Did Westco prove that Kristi Wollesen conspired with Chad Hartzler to breach the duties Chad Hartzler owed to Westco as his employer? (Please mark an "X" in the appropriate space)

Yes _____ No X

Question No. 20 If your answer to Question No 19 was "Yes", was Kristi Wollesen's conspiracy with Chad Hartzler the cause of damage to Westco? (Please mark an "X" in the appropriate space)

Yes _____ No _____

Question No. 21 Did Westco prove that Kristi Wollesen engaged in ongoing unlawful conduct? (Please mark an "X" in the appropriate space)

Yes _____ No X

Question No. 22 If your answer to Question No 21 was "Yes", place an "X" next to each way in which Kristi Wollesen engaged in ongoing unlawful conduct

_____ Committed commercial bribery for financial gain on a continuing basis

_____ Participated, directly or indirectly, in the Wollesen Trust knowing that the Wollesen Trust was being conducted through commercial bribery for financial gain on a continuing basis

_____ Participated, directly or indirectly, in Iowa Plains Farms knowing that Iowa Plains Farms was being conducted through commercial bribery for financial gain on a continuing basis

_____ Knowingly received any proceeds of commercial bribery for financial gain on a continuing basis

_____ Knowingly received any proceeds of commercial bribery for financial gain on a continuing basis, and used or invested, directly or indirectly, any part of such proceeds in the establishment or operation of Iowa Plains Farms

_____ Knowingly received any proceeds of commercial bribery for financial gain on a continuing basis, and used or invested, directly or indirectly, any part of such proceeds in the establishment or operation of the Wollesen Trust

Question No. 21 If your answer to Question No 21 was "Yes", was Kristi Wollesen's ongoing unlawful conduct the cause of damage to Westco? (Please mark an "X" in the appropriate space)

Yes _____ No _____

Question No. 24 If your answer to either Question No 20 or No 23 was "Yes", Westco is entitled to damages from Kristi Wollesen. What amount do you order Kristi Wollesen to pay Westco for its damages?

\$ _____

Question No. 25 Do you find by a preponderance of clear, convincing and satisfactory evidence the conduct of Kristi Wollesen constituted willful and wanton disregard for the rights of Westco?

Yes _____ No X

Question No. 26 If your answer to Question No 25 was "Yes", what amount of punitive damages, if any, do you award?

ANSWER

Question No. 27 If your answer to Question No 25 was "Yes", was the conduct of Kristi Wollesen directed specifically at Westco?

Yes _____ No _____

JOHN WOLLESEN

On the claims of Westco against John Wollesen, we the Jury find as follows

Question No. 28 Did Westco prove that John Wollesen conspired with Chad Hartzler to breach the duties Chad Hartzler owed to Westco as his employer? (Please mark an "X" in the appropriate space)

Yes _____ No X

Question No. ²⁹ If your answer to Question No ²⁸ was "Yes", was John Wollesen's conspiracy with Chad Hartzler the cause of damage to Westco? (Please mark an "X" in the appropriate space)

Yes _____ No _____

Question No. ³⁰ Did Westco prove that John Wollesen engaged in ongoing unlawful conduct? (Please mark an "X" in the appropriate space)

Yes _____ No X

Question No. ³¹ If your answer to Question No ³⁰ was "Yes", place an "X" next to each way in which John Wollesen engaged in ongoing unlawful conduct

_____ Committed commercial bribery for financial gain on a continuing basis

_____ Participated, directly or indirectly, in Iowa Plains Farms knowing that Iowa Plains Farms was being conducted through commercial bribery for financial gain on a continuing basis

_____ Knowingly received any proceeds of commercial bribery for financial gain on a continuing basis

_____ Knowingly received any proceeds of commercial bribery for financial gain on a continuing basis, and used or invested, directly or indirectly, any part of such proceeds in the establishment or operation of Iowa Plains Farms

Question No. 32 If your answer to Question No 30 was "Yes", was John Wollesen's ongoing unlawful conduct the cause of damage to Westco? (Please mark an "X" in the appropriate space)

Yes _____ No _____

Question No. 31 If your answer to either Question No 29 or No 32 was "Yes", Westco is entitled to damages from John Wollesen. What amount do you order John Wollesen to pay Westco for its damages?

\$ _____

Question No. 34 Do you find by a preponderance of clear, convincing and satisfactory evidence the conduct of John Wollesen constituted willful and wanton disregard for the rights of Westco?

Yes _____ No X _____

Question No. 35 If your answer to Question No 34 was "Yes", what amount of punitive damages, if any, do you award?

ANSWER

Question No. 36 If your answer to Question No 34 was "Yes", was the conduct of John Wollesen directed specifically at Westco?

Yes _____ No _____

IOWA PLAINS FARMS

On the claims of Westco against Iowa Plains Farms, we the Jury find as follows

Question No. 37 Was Bill Wollesen a general partner of Iowa Plains Farms from January 1, 2004 to the present?

Yes X No _____

Question No. 38 Was Kristi Wollesen a general partner of Iowa Plains Farms from January 1, 2004 to the present?

Yes X No _____

Question No. 39 Was John Wollesen a general partner of Iowa Plains Farms from January 1, 2006 to the present?

Yes X No _____

Question No. 40 Were the agreements between Chad Hartzler and Iowa Plains Farms the result of Chad Hartzler acting as a dual agent for both Westco and Bill and/or Kristi Wollesen?

Yes _____ No X

Question No 41 If your answer to Question No 40 was "Yes", what is the reasonable value of the goods Westco delivered to Iowa Plains Farms under the agreements between Chad Hartzler and Bill Wollesen?

Answer \$ _____

Question No 42 Did Westco prove that Iowa Plains Farms, through one or more of its general partners, conspired with Chad Hartzler to breach the duties Chad Hartzler owed to Westco as his employer? (Please mark an "X" in the appropriate space)

Yes _____ No X

Question No. 43 If your answer to Question No 42 was "Yes", was Iowa Plains Farms' conspiracy with Chad Hartzler the cause of damage to Westco? (Please mark an "X" in the appropriate space)

Yes _____ No _____

Question No. 44 Did Westco prove that Iowa Plains Farms, through one or more of its general partners, engaged in ongoing unlawful conduct? (Please mark an "X" in the appropriate space)

Yes _____ No X

Question No. 45 If your answer to Question No 44 was "Yes", place an "X" next to each way in which Iowa Plains Farms, through one or more of its general partners, engaged in ongoing unlawful conduct

_____ Committed commercial bribery for financial gain on a continuing basis

_____ Knowingly received any proceeds of commercial bribery for financial gain on a continuing basis

_____ Knowingly received any proceeds of commercial bribery for financial gain on a continuing basis, and used or invested, directly or indirectly, any part of such proceeds in the establishment or operation of Iowa Plains Farms

_____ Knowingly received any proceeds of commercial bribery for financial gain on a continuing basis, and used or invested, directly or indirectly, any part of such proceeds in the establishment or operation of the Wollesen Trust

Question No. 46 If your answer to Question No 44 was "Yes", was Iowa Plains Farms' ongoing unlawful conduct the cause of damage to Westco? (Please mark an "X" in the appropriate space)

Yes _____ No _____

Question No. 47 If your answer to either Question No 43 or No 46 was "Yes", Westco is entitled to damages from Iowa Plains Farms. What amount do you order Iowa Plains Farms to pay Westco for its damages?

\$ _____

Question No. 48 Do you find by a preponderance of clear, convincing and satisfactory evidence the conduct of Iowa Plains Farms, through one or more of its general partners, constituted willful and wanton disregard for the rights of Westco?

Yes _____ No X _____

Question No. 47: If your answer to Question No 47 was "Yes", what amount of punitive damages, if any, do you award?

ANSWER \$ _____

Question No. 48: If your answer to Question No 48 was "Yes", was the conduct of Iowa Plains Farms, through one or more of its general partners, directed specifically at Westco?

Yes _____ No _____

THE WOLLESEN TRUST

On the claims of Westco against the Wollesen Trust, we the Jury find as follows

Question No. 49: Was Bill Wollesen a trustee of the Wollesen Trust?

Yes X No _____

Question No. 50: Was Kristi Wollesen a trustee of the Wollesen Trust?

Yes X No _____

Question No. 51: Did Westco prove that the Wollesen Trust, through one or more of its trustees, conspired with Chad Hartzler to breach the duties Chad Hartzler owed to Westco as his employer? (Please mark an "X" in the appropriate space)

Yes _____ No X

Question No. 54 If your answer to Question No. 53 was "Yes", was either the Wollesen Trust's conspiracy with Chad Hartzler the cause of damage to Westco? (Please mark an "X" in the appropriate space)

Yes _____ No _____

Question No. 55 Did Westco prove that the Wollesen Trust, through one or more of its trustees, engaged in ongoing unlawful conduct? (Please mark an "X" in the appropriate space)

Yes _____ No X

Question No. 56 If your answer to Question No. 55 was "Yes", place an "X" next to each way in which the Wollesen Trust, through one or more of its trustees, engaged in ongoing unlawful conduct

_____ Committed commercial bribery for financial gain on a continuing basis

_____ Knowingly received any proceeds of commercial bribery for financial gain on a continuing basis

_____ Knowingly received any proceeds of commercial bribery for financial gain on a continuing basis, and used or invested, directly or indirectly, any part of such proceeds in the establishment or operation of the Wollesen Trust

Question No. 57 If your answer to Question No. 55 was "Yes", was the Wollesen Trust's ongoing unlawful conduct the cause of damage to Westco? (Please mark an "X" in the appropriate space)

Yes _____ No _____

Question No. 58 If your answer to either Question No 54 or No 57 was "Yes", Westco is entitled to damages from the Wollesen Trust. What amount do you order the Wollesen Trust to pay Westco for its damages?

\$ _____

Question No. 59 Do you find by a preponderance of clear, convincing and satisfactory evidence the conduct of the Wollesen Trust, through one or more of its trustees, constituted willful and wanton disregard for the rights of Westco?

Yes _____ No X

Question No. 60: If your answer to Question No 59 was "Yes", what amount of punitive damages, if any, do you award?

ANSWER \$ _____

Question No. 61: If your answer to Question No 59 was "Yes", was the conduct of the Wollesen Trust, through one or more of its trustees, directed specifically at Westco?

Yes _____ No _____

WEST CENTRAL

On the claims of Iowa Plains Farms against West Central, we the Jury find as follows

Question No. 62 Did Iowa Plains Farms prove that West Central breached its contracts with Iowa Plains Farms? (Please mark an "X" in the appropriate space)

Yes X No _____

Question No. 63 If your answer to Question No 62 was "Yes", was West Central's breach the cause of damage to Iowa Plains Farms? (Please mark an "X" in the appropriate space)

Yes X No _____

Question No. 64 Did Iowa Plains Farms prove that West Central engaged in ongoing unlawful conduct? (Please mark an "X" in the appropriate space)

Yes _____ No X

Question No. 65 If your answer to Question No 64 was "Yes", place an "X" next to each way in which West Central engaged in ongoing unlawful conduct

_____ Knowingly received proceeds of theft on a continuing basis

Question No. 66 If your answer to Question No 64 was "Yes", was West Central ongoing unlawful conduct the cause of damage to Iowa Plains Farms? (Please mark an "X" in the appropriate space)

Yes _____ No _____

Question No. 67 Did Iowa Plains Farms prove that West Central made fraudulent misrepresentations to Iowa Plains Farms? (Please mark an "X" in the appropriate space)

Yes X No _____

Question No. ⁶⁸ If your answer to Question No 67 was "Yes", were West Central's fraudulent misrepresentations the cause of damage to ~~West Central~~ IOWA PLAINS FARMS? (Please mark an "X" in the appropriate space) *(per Judge Moon instruction)*

Yes X No _____

Question No. ⁶⁹ If your answer to either Question No 63 or No 66, or No 68 was "Yes", Iowa Plains Farms is entitled to damages from West Central. What amount do you order West Central to pay Iowa Plains Farms for its damages?

\$ 576,189

Question No. ⁷⁰ Do you find by a preponderance of clear, convincing and satisfactory evidence the conduct of West Central constituted willful and wanton disregard for the rights of Iowa Plains Farms?

Yes _____ No X

Question No. ⁷¹ If your answer to Question No 70 was "Yes", what amount of punitive damages, if any, do you award?


ANSWER \$ _____

Question No. ⁷² If your answer to Question No 70 was "Yes", was the conduct of West Central directed specifically at Iowa Plains Farms?


Yes _____ No _____

APPROVAL

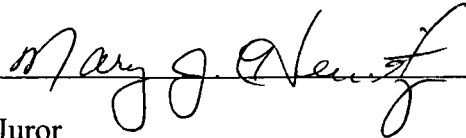
If your verdicts are unanimous, the Foreperson shall sign this Verdict form. If, after six or more hours of deliberation your verdicts are not unanimous, the jurors agreeing to the verdicts shall sign this form.



Foreperson

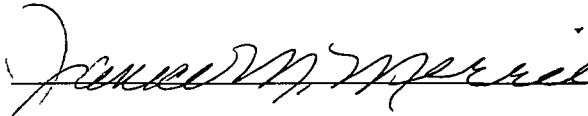


Juror




Juror

Juror




Juror

Juror



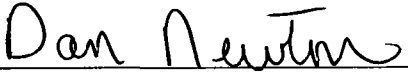
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