

## IN THE IOWA DISTRICT COURT FOR BUTLER COUNTY

HOTH GRAIN STRUCTURES, INC.,  Plaintiff,  vs.  JOHN McCANDLESS and BALLYNACREE FARMS, LLC,  Defendants.	No. CVCV021986
BALLYNACREE FARMS, LLC,  Counterclaimant,  vs.  HOTH GRAIN STRUCTURES, INC.,  Counterclaim Defendant.	VERDICT FORM

We find the following verdicts on all of the counts submitted to us:

**Plaintiff's Claim Against John McCandless**

**Question No. 1.** Did Hoth Grain Structures, Inc., have a contract with John McCandless?

YES \_\_\_\_\_  
NO ☒ \_\_\_\_\_

If your answer is YES, then answer Question No. 2. If your answer is NO, then skip Question No. 2 and proceed to the next Count.

**Question No. 2.** Did Hoth Grain Structures, Inc., perform all of its obligations under its contract with John McCandless, with the exception of any portion you find was excused?

YES \_\_\_\_\_  
NO \_\_\_\_\_

If your answer is YES, then answer Question No. 3. If your answer is NO, then skip Question No. 3 and proceed to the next Count.

**Question No. 3.** Did John McCandless breach his obligations under his contract with Hoth Grain Structures, Inc.?

YES \_\_\_\_\_  
NO ☒ \_\_\_\_\_

If your answer is YES, then answer Question No. 4. If your answer is NO, then skip Question No. 4 and proceed to the next Count.

**Question No. 4.** Was John McCandless legally excused from his performance obligation due to a material breach of the parties' contract by Hoth Grain Structures, Inc.?

YES \_\_\_\_\_  
NO \_\_\_\_\_

If your answer is YES, then skip Question No. 5 and proceed to the next Count. If your answer is NO, then answer Question No. 5.

**Question No. 5.** Did John McCandless's breach of the contract result in damages to Hoth Grain Structures, Inc.?

YES \_\_\_\_\_  
NO ☒ \_\_\_\_\_

If your answer is YES, then answer Question No. 6. If your answer is NO, then skip Question No. 6 and proceed to the next Count.

**Question No. 6.** What is the total amount of damages that you award to Hoth Grain Structures, Inc., against John McCandless?

ANSWER \$ \_\_\_\_\_

**Plaintiff's Claim Against Ballynacree Farms, LLC**

**Question No. 7.** Did Hoth Grain Structures, Inc., have a contract with Ballynacree Farms, LLC?

YES ☒NO ☐

If your answer is YES, then answer Question No. 8. If your answer is NO, then skip Question No. 8 and proceed to the next Count.

**Question No. 8.** Did Hoth Grain Structures, Inc., perform all of its obligations under its contract with Ballynacree Farms, LLC, with the exception of any portion you find was excused?

YES ☐NO ☒

If your answer is YES, then answer Question No. 9. If your answer is NO, then skip Question No. 9 and proceed to the next Count.

**Question No. 9.** Did Ballynacree Farms, LLC, breach its obligations under its contract with Hoth Grain Structures, Inc.?

YES ☐NO ☐

If your answer is YES, then answer Question No. 10. If your answer is NO, then skip Question No. 10 and proceed to the next Count.

**Question No. 10.** Was Ballynacree Farms, LLC, legally excused from its performance obligation due to a material breach of the parties' contract by Hoth Grain Structures, Inc.?

YES ☐NO ☒

If your answer is YES, then skip Question No. 11 and proceed to the next Count. If your answer is NO, then answer Question No. 11.

**Question No. 11.** Did Ballynacree Farms, LLC's, breach of the contract result in damages to Hoth Grain Structures, Inc.?

YES ☒NO ☒

If your answer is YES, then answer Question No. 12. If your answer is NO, then skip Question No. 12 and proceed to the next Count.

**Question No. 12.** What is the total amount of damages that you award to Hoth Grain Structures, Inc., against Ballynacree Farms, LLC?

ANSWER \$ 51,700.00

**Defendant Ballynacree Farms, LLC's, Counterclaim**

**Question No. 13.** Did Hoth Grain Structures, Inc., have a contract with Ballynacree Farms, LLC? If you answered Question No. 7 YES, then you must also answer this question YES. If you answered Question No. 7 NO, then you must answer this question NO.

YES ☒

NO ☐

If your answer is YES, then answer Question No. 14. If your answer is NO, do not answer any further questions.

**Question No. 14.** Did Ballynacree Farms, LLC's, perform all of its obligations under its contract with Hoth Grain Structures, Inc.?

YES ☒

NO ☐

If your answer is YES, then answer Question No. 15. If your answer is NO, then do not answer any further questions.

**Question No. 15.** Did Hoth Grain Structures, Inc., breach its obligations under its contract with Ballynacree Farms, LLC?

YES ☒

NO ☐

If your answer is YES, then answer Question No. 16. If your answer is NO, then do not answer any further questions.

**Question No. 16.** Was Hoth Grain Structures, Inc., legally excused from its performance obligation due to a material breach of the parties' contract by Ballynacree Farms, LLC?

YES \_\_\_\_\_  
NO ✓

If your answer is YES, then do not answer any further questions. If your answer is NO, then answer Question No. 17.

**Question No. 17.** Did Hoth Grain Structure, Inc.'s, breach of the contract result in damages to Ballynacree Farms, LLC?

YES ✓  
NO \_\_\_\_\_

If your answer is YES, then answer Question No. 18. If your answer is NO, do not answer Question No. 18.

**Question No. 18.** What is the total amount of damages that you award to Ballynacree Farms, LLC, against Hoth Grain Structures, Inc.?

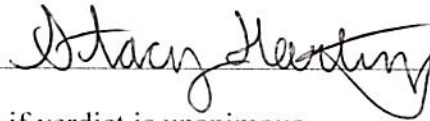
ANSWER \$ 30,726.26

**SIGNATURE PAGE**

If your verdict is unanimous, then only the foreperson needs to sign the verdict form. If you have deliberated for six hours or more and the verdict is not unanimous, then the foreperson must sign and the jurors who agree to the verdict must sign.

(*check here*) This verdict is unanimous.

FOREPERSON\*



\*To be signed only if verdict is unanimous.

OR

(*check here*) This verdict is agreed upon by the below jurors.

FOREPERSON\*\*

\_\_\_\_\_

Juror\*\*

\_\_\_\_\_

Juror\*\*

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Juror\*\*

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Juror\*\*

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Juror\*\*

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Juror\*\*

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