

Original

FILED

2024 JUN 10 PM 1:23
LINN COUNTY, IOWA

IN THE IOWA DISTRICT COURT IN AND FOR LINN COUNTY

MATTHEW MCQUILLEN and ELIZABETH
MCQUILLEN, as LIMITED CO-GUARDIANS AND
CO-CONSERVATORS OF MARGARET G.
MCQUILLEN,

Plaintiffs,

vs.

WEST SIDE TRANSPORT, INC., and CLIFFORD
TAKES,

Defendants.

CASE NO. LACV099133

SPECIAL VERDICT FORM

We find the following verdict on the questions submitted to us:

QUESTION NO. 1: Was West Side Transport, Inc./Clifford Takes at fault?

Answer "yes" or "no."

ANSWER: Yes

If you answered "no" to Question No. 1, then you should not answer any further questions. Instead, your verdict is complete and you should sign and date your verdict form.

If you answered "yes" to Question No. 1, then proceed to Question 2.

QUESTION NO. 2: Was the fault of West Side Transport, Inc./Clifford Takes a cause of any item of damage to Margaret McQuillen?

Answer "yes" or "no."

ANSWER: Yes

If you answered "no" to Question No. 2, then you should not answer any further questions. Instead, your verdict is complete and you should sign and date your verdict form.

If you answered "yes" to Question No. 2, then Plaintiffs have met their burden to prove their claim against Clifford Takes. Similarly, because Defendant West Side Transport is responsible for the negligent acts of its employees, Plaintiffs have also met their burden to prove their claim against West Side Transport. Proceed to Question No. 3.

QUESTION NO. 3: Was Margaret McQuillen at fault?

Answer "yes" or "no."

ANSWER: Yes

If you answered "no" to Question No. 3, then you should not assign any fault to Margaret McQuillen. Do not answer Questions No. 4 or No. 5, and instead proceed to Question No. 6.

If you answered "yes" to Question No. 3, then proceed to Question No. 4.

QUESTION NO. 4: Was Margaret McQuillen's fault a cause of any of her damages?

Answer "yes" or "no."

ANSWER: Yes

If you answered "no" to Question No. 4, then you should not assign any fault to Margaret McQuillen. Do not answer Question No. 5, and instead proceed to Question No. 6.

If you answered "yes" to Question No. 4, then proceed to Question No. 5.

QUESTION NO. 5: Using 100% as the total combined fault of West Side Transport, Inc./Clifford Takes and Margaret McQuillen, which was the cause of Margaret McQuillen's injuries, what percentage of such combined fault do you assign to each person? The percentages must total 100 percent.

If you previously found the party was not at fault or the party's fault did not cause damage to Margaret McQuillen, then you must enter a zero after their name.

ANSWER:	West Side Transport, Inc/Clifford Takes:	<u>73</u> %
	Margaret McQuillen:	<u>27</u> %

If you find Margaret McQuillen to be more than 50% at fault, then your verdict is complete and do not answer Question No. 6. Instead, sign and date the verdict form as instructed.

Otherwise, proceed to Question No. 6.

QUESTION NO. 6: State the amount of damages sustained by Margaret McQuillen caused by Defendants' fault as to each of the following items of damage. Do not take into consideration any reduction of damages due to Margaret McQuillen's fault, if any. If Plaintiffs have failed to prove any item of damage, or have failed to prove that any item of damage was caused by a Defendants' fault, enter 0 for that item.

1. Future medical expenses	\$ <u>10,962.475</u>
2. Loss of earning capacity:	\$ <u>6,000.000</u>
3. Past loss of function of body:	\$ <u>2,000.000</u>
4. Future loss of function of body:	\$ <u>5,431.000</u>
5. Past pain and suffering:	\$ <u>4,200.000</u>
6. Future pain and suffering:	\$ <u>4,200.000</u>
7. Permanent disfigurement and scarring:	\$ 5,431.000 <u>3,000.000</u>
TOTAL DAMAGES: (add the separate items of damage):	\$ <u>35,793.475</u>

SIGNATURE(S)

Dated this 10 day of June, 2024.

Bylee Kelley
FOR PERSON*

*To be signed only if verdict is unanimous.

Juror**

Juror**

Juror**

Juror**

Juror**

Juror**

Juror**

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