

**IN THE IOWA DISTRICT COURT IN AND FOR JACKSON COUNTY**

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JOHN THOMA and KELLY THOMA,

Plaintiffs,

Law No. LACV029023

vs.

SCOTT THOMA and EARL THOMA,  
individually and as Co-Executors of the  
Estate of Ernest William Thoma,  
Deceased.**VERDICT FORM 1 (COUNT I)**Defendants.

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**1. Were John and Kelly Thoma and the Co-Executors, capable of contracting?**

Answer "yes" or "no."

ANSWER: yes

If your answer is "no," do not answer any further questions.

**2. Did a contract exist between Plaintiffs and Defendants?**

Answer "yes" or "no."

ANSWER: no

If your answer is "no," do not answer any further questions.

**3. Was there a sufficient meeting of the minds between Plaintiffs and Defendants on the material terms of the contract?**

Answer "yes" or "no."

ANSWER: no

If your answer is "no," do not answer any further questions.

**4. Have the Plaintiffs done what the contract requires?**

Answer "yes" or "no."

ANSWER: no

If your answer is "no," do not answer any further questions.

**5. Did Defendants breach the contract by refusing to allow John and Kelly Thoma to cut hay?**

Answer "yes" or "no."

ANSWER: no

If your answer is "no," do not answer any further questions.

**6. What is the total amount of damages, if any, sustained by Plaintiffs John and Kelly Thoma as a result of Paragraph 5, above, and reduced by any award for the same wrongdoing in another Verdict Form?**

ANSWER: \$ 0

  
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FOREMAN OR FOREWOMAN

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SCOTT THOMA and EARL THOMA,  
individually and as Co-Executors of the  
Estate of Ernest William Thoma,  
Deceased.**VERDICT FORM 2 (COUNT III)**

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Defendants.

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**1. Were John and Kelly Thoma and the Co-Executors, capable of contracting?**

Answer "yes" or "no."

ANSWER: yes

If your answer is "no," do not answer any further questions.

**2. Did a contract exist between Plaintiffs and Defendants?**

Answer "yes" or "no."

ANSWER: no

If your answer is "no," do not answer any further questions.

**3. Was there a sufficient meeting of the minds between Plaintiffs and Defendants on the material terms of the contract?**

Answer "yes" or "no."

ANSWER: no

If your answer is "no," do not answer any further questions.

**4. Have the Plaintiffs done what the contract requires?**

Answer "yes" or "no."

ANSWER: no

If your answer is "no," do not answer any further questions.

**5. Did Defendants breach the contract by removing gates to the enclosure where plaintiffs keep their cattle which prevented the cattle from being able to graze?**

Answer "yes" or "no."

ANSWER: no

If your answer is "no," do not answer any further questions.

**6. What is the total amount of damages, if any, sustained by Plaintiffs John and Kelly Thoma as a result of Paragraph 5, above, and reduced by any award for the same wrongdoing in another Verdict Form?**

ANSWER: \$ 0

  
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FOREMAN OR FOREWOMAN

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JOHN THOMA and KELLY THOMA,

Plaintiffs,

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individually and as Co-Executors of the  
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Deceased.**VERDICT FORM 3 (COUNT VI)**Defendants.

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**1. Did John and Kelly Thoma have a possessory interest in a skid loader?**

Answer "yes" or "no."

ANSWER: yes

If your answer is "no," do not answer any further questions.

**2. Did the Plaintiffs abandon the skid loader?**

Answer "yes" or "no."

ANSWER: no

If your answer is "yes," do not answer any further questions.

**3. Did the Defendants commit the act of conversion of the skid loader?**

Answer "yes" or "no."

ANSWER: no

If your answer is "no," do not answer any further questions.

**4. Were Defendants a gratuitous bailee?**Answer "yes", "no". noANSWER: no

If your answer is "no," skip to question 6.

**5. If your answer to question 4 is “yes”, did Defendants failed to exercise that degree of care for the property as would be exercised by persons of prudence in keeping property of like value under the circumstances?**

Answer “yes”, “no”, or skip if inapplicable.

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

If your answer is “no,” do not answer any further questions.

**6. What is the total amount of damages, if any, sustained by Plaintiffs John and Kelly Thoma, as a result of Paragraph 3, above, and reduced by any award for the same wrongdoing in another Verdict Form?**

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

If your answer is \$0 do not answer any further questions.

**7. Of the damages in Paragraph 6, what amount do you assign to each of the Co-Executors together, Earl Thoma, or Scott Thoma?**

ANSWER: Co-Executors \$ \_\_\_\_\_  
Earl Thoma \$ \_\_\_\_\_  
Scott Thoma \$ \_\_\_\_\_

TOTAL: (must match Answer #6)

  
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FOREMAN OR FOREWOMAN

**IN THE IOWA DISTRICT COURT IN AND FOR JACKSON COUNTY**

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JOHN THOMA and KELLY THOMA,

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Deceased.**VERDICT FORM 4 (COUNT VII)**

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Defendants.

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**1. Did Defendants commit an intentional intrusion into a matter which Plaintiff had a right to expect privacy?**

Answer "yes" or "no."

ANSWER: no

If your answer is "no," do not answer any further questions.

**2. Was the intrusion "highly offensive" to a reasonable person?**

Answer "yes" or "no."

ANSWER: ~~no~~ yes

If your answer is "no," do not answer any further questions.

**3. Have Plaintiffs suffered some injury as a result of Defendants' intrusion?**

Answer "yes" or "no."

ANSWER: ~~no~~ yes

If your answer is "no," do not answer any further questions.

**4. What is the total amount of damages, if any, sustained by Plaintiffs John and Kelly Thoma, as a result of Paragraph 3, above?**

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

  
FOREMAN OR FOREWOMAN



**IN THE IOWA DISTRICT COURT IN AND FOR JACKSON COUNTY**

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JOHN THOMA and KELLY THOMA,

Plaintiffs,

Law No. LACV029023

vs.

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individually and as Co-Executors of the  
Estate of Ernest William Thoma,  
Deceased.**VERDICT FORM 5 (COUNT VIII)**

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Defendants.

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**1. Were John and Kelly Thoma and the Co-Executors, capable of contracting?**

Answer "yes" or "no."

ANSWER: yes

If your answer is "no," do not answer any further questions.

**2. Did a contract exist between Plaintiffs and Earl Thoma?**

Answer "yes" or "no."

ANSWER: yes

If your answer is "no," do not answer any further questions.

**3. Was there a sufficient meeting of the minds between Plaintiffs and Defendant on the material terms of the contract?**

Answer "yes" or "no."

ANSWER: yes

If your answer is "no," do not answer any further questions.

**4. Has the Plaintiff done what the contract requires?**

Answer "yes" or "no."

ANSWER: yes

If your answer is "no," do not answer any further questions.

**5. Did Earl Thoma breach the contract by failing to pay John and Kelly Thoma the contract price for bales of hay?**

Answer "yes" or "no."

ANSWER: yes

If your answer is "no," do not answer any further questions.

**6. What is the total amount of damages, if any, sustained by Plaintiffs John and Kelly Thoma, as a result of Paragraph 5, above?**

ANSWER: \$ 640.<sup>00</sup>

  
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Plaintiffs,

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vs.

SCOTT THOMA and EARL THOMA,  
individually and as Co-Executors of the  
Estate of Ernest William Thoma,  
Deceased.**VERDICT FORM 6 (COUNT IX)**Defendants.

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**1. Were John and Kelly Thoma and the Co-Executors, capable of contracting?**

Answer "yes" or "no."

ANSWER: yes

If your answer is "no," do not answer any further questions.

**2. Did a contract exist between Plaintiffs and Defendants?**

Answer "yes" or "no."

ANSWER: no

If your answer is "no," do not answer any further questions.

**3. Was there a sufficient meeting of the minds between Plaintiffs and Defendants on the material terms of the contract?**

Answer "yes" or "no."

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

If your answer is "no," do not answer any further questions.

**4. Have the Plaintiffs done what the contract requires?**

Answer "yes" or "no."

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

If your answer is "no," do not answer any further questions.

**5. Did Defendants breach the contract by placing padlocks on the Thomas's gates preventing them from accessing their leased field in violation of the Court's stay and in violation of the rental agreement.**

Answer "yes" or "no."

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

If your answer is "no," do not answer any further questions.

**6. What is the total amount of damages, if any, sustained by Plaintiffs John and Kelly Thoma, as a result of Paragraph 5, above?**

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

  
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FOREMAN OR FOREWOMAN

**IN THE IOWA DISTRICT COURT IN AND FOR JACKSON COUNTY**

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JOHN THOMA and KELLY THOMA,

Plaintiffs,

Law No. LACV029023

vs.

SCOTT THOMA and EARL THOMA,  
individually and as Co-Executors of the  
Estate of Ernest William Thoma,  
Deceased.**VERDICT FORM 7 (COUNT X)**Defendants.

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**1. Were John and Kelly Thoma and the Co-Executors, capable of contracting?**

Answer "yes" or "no."

ANSWER: yes

If your answer is "no," do not answer any further questions.

**2. Did a contract exist between Plaintiffs and Defendants?**

Answer "yes" or "no."

ANSWER: no

If your answer is "no," do not answer any further questions.

**3. Was there a sufficient meeting of the minds between Plaintiffs and Defendants on the material terms of the contract?**

Answer "yes" or "no."

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

If your answer is "no," do not answer any further questions.

**4. Have the Plaintiffs done what the contract requires?**

Answer "yes" or "no."

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

If your answer is "no," do not answer any further questions.

**5. Did Defendants breach the contract by blocking John and Kelly Thoma's access to their fuel tanks in violation of the Court's stay and in violation of the rental agreement?**

Answer "yes" or "no."

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

If your answer is "no," do not answer any further questions.

**6. What is the total amount of damages, if any, sustained by Plaintiffs John and Kelly Thoma, as a result of Paragraph 5, above?**

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

  
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FOREMAN OR FOREWOMAN

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JOHN THOMA and KELLY THOMA,

Plaintiffs,

Law No. LACV029023

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SCOTT THOMA and EARL THOMA,  
individually and as Co-Executors of the  
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Deceased.**VERDICT FORM 8 (COUNT XI)**Defendants.

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**1. Were John and Kelly Thoma and the Co-Executors, capable of contracting?**

Answer "yes" or "no."

ANSWER: YES

If your answer is "no," do not answer any further questions.

**2. Did a contract exist between Plaintiffs and Defendants?**

Answer "yes" or "no."

ANSWER: NO

If your answer is "no," do not answer any further questions.

**3. Was there a sufficient meeting of the minds between Plaintiffs and Defendants on the material terms of the contract?**

Answer "yes" or "no."

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

If your answer is "no," do not answer any further questions.

**4. Have the Plaintiffs done what the contract requires?**

Answer "yes" or "no."

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

If your answer is "no," do not answer any further questions.

**5. Did Defendants breach the contract by moving John and Kelly Thoma's bales of hay?**

Answer "yes" or "no."

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

If your answer is "no," do not answer any further questions.

**6. What is the total amount of damages, if any, sustained by Plaintiffs John and Kelly Thoma, as a result of Paragraph 5, above, and reduced by any award for the same wrongdoing in another Verdict Form?**

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

  
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Deceased.**VERDICT FORM 9 (COUNT XII)**

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Defendants.

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**1. Did John and Kelly Thoma have a possessory interest in wagons and a trailer, hay bales and a skid loader bucket?**

Answer "yes" or "no."

ANSWER: yes

If your answer is "no," do not answer any further questions.

**2. Did the Plaintiffs abandon the wagons and a trailer, hay bales and a skid loader bucket?**

Answer "yes" or "no."

ANSWER: no

If your answer is "yes," do not answer any further questions.

**3. Did the Defendants commit the act of conversion of the wagons and a trailer, hay bales and a skid loader bucket?**

Answer "yes" or "no."

ANSWER: no

If your answer is "no," do not answer any further questions.

**4. Were Defendants a gratuitous bailee?**

Answer "yes", "no".

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

If your answer is "no," skip to question 6.

**5. If your answer to question 4 is "yes", did Defendants failed to exercise that degree of care for the property as would be exercised by persons of prudence in keeping property of like value under the circumstances?**

Answer "yes", "no", or skip if inapplicable.

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

If your answer is "no," do not answer any further questions.

**6. What is the total amount of damages, if any, sustained by Plaintiffs John and Kelly Thoma, as a result of Paragraph 3, above, and reduced by any award for the same wrongdoing in another Verdict Form?**

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

If your answer is \$0 do not answer any further questions.

**7. Of the damages in Paragraph 6, what amount do you assign to each of the Co-Executors together, Earl Thoma, or Scott Thoma?**

ANSWER: Co-Executors \$ \_\_\_\_\_  
Earl Thoma \$ \_\_\_\_\_  
Scott Thoma \$ \_\_\_\_\_

TOTAL: (must match Answer #6)

  
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FOREMAN OR FOREWOMAN

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Plaintiffs,

Law No. LACV029023

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Deceased.**VERDICT FORM 10 (COUNT XIII)**

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Defendants.

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**1. Did John and Kelly Thoma have a possessory interest in the following items of property:**

- a. Cement blocks.
- b. Several gates along the farm.
- c. Motor for a vacuum pump.
- d. Silo unloader motor.
- e. Metal frame for rubber curtains in front of barn doorway.

Answer "yes" or "no."

ANSWER: NO

If your answer is "no," do not answer any further questions.

**2. Did the Plaintiffs abandon the property in paragraph 1?**

Answer "yes" or "no."

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

If your answer is "yes," do not answer any further questions.

**3. Did the Defendants commit the act of conversion of the property in Paragraph 1?**

Answer "yes" or "no."

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

If your answer is "no," do not answer any further questions.

**4. Were Defendants a gratuitous bailee?**

Answer "yes", "no".

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

If your answer is "no," skip to question 6.

**5. If your answer to question 4 is "yes", did Defendants failed to exercise that degree of care for the property as would be exercised by persons of prudence in keeping property of like value under the circumstances?**

Answer "yes", "no", or skip if inapplicable.

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

If your answer is "no," do not answer any further questions.

**6. What is the total amount of damages, if any, sustained by Plaintiffs John and Kelly Thoma, as a result of Paragraph 3, above, and reduced by any award for the same wrongdoing in another Verdict Form?**

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

If your answer is \$0 do not answer any further questions.

**7. Of the damages in Paragraph 6, what amount do you assign to each of the Co-Executors together, Earl Thoma, or Scott Thoma?**

ANSWER: Co-Executors \$ \_\_\_\_\_  
Earl Thoma \$ \_\_\_\_\_  
Scott Thoma \$ \_\_\_\_\_

TOTAL: (must match Answer #6)

  
FOREMAN OR FOREWOMAN

**IN THE IOWA DISTRICT COURT IN AND FOR JACKSON COUNTY**

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JOHN THOMA and KELLY THOMA,

Plaintiffs,

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individually and as Co-Executors of the  
Estate of Ernest William Thoma,  
Deceased.**VERDICT FORM <sup>11</sup>~~11~~ (COUNT XIV)**

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Defendants.

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**1. Did John and Kelly Thoma have a possessory interest in property that Co-Executors failed to remove after the Forcible Entry and Detainer?**

Answer "yes" or "no."

ANSWER: yes

If your answer is "no," do not answer any further questions.

**2. Did the Plaintiffs abandon the property in paragraph 1?**

Answer "yes" or "no."

ANSWER: no

If your answer is "yes," do not answer any further questions.

**3. Did the Defendants commit the act of conversion of the property in Paragraph 1?**

Answer "yes" or "no."

ANSWER: no

If your answer is "no," do not answer any further questions.

**4. Were Defendants a gratuitous bailee?**

Answer "yes", "no".

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

If your answer is "no," skip to question 6.

**5. If your answer to question 4 is "yes", did Defendants fail to exercise that degree of care for the property as would be exercised by persons of prudence in keeping property of like value under the circumstances?**

Answer "yes", "no", or skip if inapplicable.

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

If your answer is "no," do not answer any further questions.

**6. What is the total amount of damages, if any, sustained by Plaintiffs John and Kelly Thoma, as a result of Paragraph 3, above, and reduced by any award for the same wrongdoing in another Verdict Form?**

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

If your answer is \$0 do not answer any further questions.

**7. Of the damages in Paragraph 6, what amount do you assign to each of the Co-Executors together, Earl Thoma, or Scott Thoma?**

ANSWER: Co-Executors \$ \_\_\_\_\_  
Earl Thoma \$ \_\_\_\_\_  
Scott Thoma \$ \_\_\_\_\_

TOTAL: (must match Answer #6)

  
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FOREMAN OR FOREWOMAN

**IN THE IOWA DISTRICT COURT IN AND FOR JACKSON COUNTY**

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JOHN THOMA and KELLY THOMA,

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Deceased.**VERDICT FORM 13 (COUNT XVII)**Defendants.

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**1. Were the Defendants negligent in their care of fuel barrels belonging to plaintiff?**

Answer "yes" or "no."

ANSWER: NO

(If your answer is "no," do not answer any further questions.)

**2. Was the fault of Defendants a cause of damage to the plaintiff?**

Answer "yes" or "no."

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

(If your answer is "no," do not answer any further questions.)

**3. Was Defendant a gratuitous bailee?**

Answer "yes", "no".

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

**4. If your answer to question 3 is "yes", did Defendants fail to exercise that degree of care for the property as would be exercised by persons of prudence in keeping property of like value under the circumstances?**

Answer "yes", "no", or skip if inapplicable.

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

If your answer is "no," do not answer any further questions.

**5. Was the plaintiff, John and Kelly Thoma, at fault?**

Answer: "yes" or "no."

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

(If your answer is "no", do not answer question 4 or 5.)

**6. Was the plaintiffs' fault a cause of his/her damage?**

Answer "yes" or "no."

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

(If your answer is "no," do not answer Question No. 5.)

**7. Using 100% as the total combined fault of plaintiffs, John and Kelly Thoma and defendants, which was a cause of plaintiff's damage, what percentage of such combined fault do you assign to the plaintiffs and what percentage of such combined fault do you assign to the defendants?**

ANSWER: Plaintiffs \_\_\_\_\_ %  
Defendants \_\_\_\_\_ %

TOTAL: 100%

(If you find plaintiffs to be more than 50% at fault, do not answer any further questions.)

**8. What is the total amount of damages, if any, sustained by John and Kelly Thoma, as a result of paragraph 1, above, without taking into consideration any reduction of damages due to plaintiff's fault, if any, and reduced by any award for the same wrongdoing in another Verdict Form?**

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

**9. Of the damages in Paragraph 8, what amount do you assign to each of the Co-Executors together, Earl Thoma, or Scott Thoma?**

ANSWER: Co-Executors \$ \_\_\_\_\_  
Earl Thoma \$ \_\_\_\_\_  
Scott Thoma \$ \_\_\_\_\_

TOTAL: (must match Answer #8)



  
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FOREMAN OR FOREWOMAN

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JOHN THOMA and KELLY THOMA,

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Deceased.**VERDICT FORM 14 (COUNT XVIII)**

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Defendants.

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**1. Did Earl Thoma's cattle get loose and damage the plaintiff's crops in 2019 and/or 2020?**

Answer "yes" or "no."

ANSWER: yes

If your answer is "no," do not answer any further questions.

**2. Was Earl Thoma negligent in allowing the cattle to get loose?**

Answer "yes" or "no."

ANSWER: no

If your answer is "no," do not answer any further questions.

**3. Was the fault of Earl Thoma a cause of damage to the plaintiffs?**

Answer "yes" or "no."

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

(If your answer is "no," do not answer any further questions.)

**4. Were the plaintiffs, John and Kelly Thoma, at fault?**

Answer: "yes" or "no."

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

(If your answer is "no", do not answer question 4 or 5.)

**5. Was the plaintiffs' fault a cause of his/her damage?**

Answer "yes" or "no."

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

(If your answer is "no," do not answer Question No. 5.)

**6. Using 100% as the total combined fault of plaintiffs, John and Kelly Thoma and Defendant, Earl Thoma's, which was a cause of plaintiff's damage, what percentage of such combined fault do you assign to the plaintiff and what percentage of such combined fault do you assign to the defendant?**

ANSWER: Plaintiffs \_\_\_\_\_ %  
Defendants \_\_\_\_\_ %

TOTAL: 100%

(If you find plaintiffs to be more than 50% at fault, do not answer any further questions.)

**7. What is the total amount of damages, if any, sustained by John and Kelly Thoma as a result of Paragraph 2 above, without taking into consideration any reduction of damages due to plaintiff's fault, if any?**

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

  
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FOREMAN OR FOREWOMAN

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Plaintiffs,

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Deceased.**VERDICT FORM 15(COUNT XIX)**

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Defendants.

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**1. Were John and Kelly Thoma and Earl Thoma, capable of contracting?**

Answer "yes" or "no."

ANSWER: yes

If your answer is "no," do not answer any further questions.

**2. Did a contract exist between Plaintiff and Earl Thoma in which Earl Thoma and John Thoma agreed to split the cost of netwrap?**

Answer "yes" or "no."

ANSWER: yes

If your answer is "no," do not answer any further questions.

**3. Was there a sufficient meeting of the minds between Plaintiffs and Defendant on the material terms of the contract?**

Answer "yes" or "no."

ANSWER: yes

If your answer is "no," do not answer any further questions.

**4. Have the Plaintiffs done what the contract requires?**

Answer "yes" or "no."

ANSWER: yes

If your answer is "no," do not answer any further questions.

**5. Did Earl Thoma breach the contract by failing to pay John Thoma for his portion of the netwrap?**

Answer "yes" or "no."

ANSWER: yes

If your answer is "no," do not answer any further questions.

**6. What is the total amount of damages, if any, sustained by Plaintiffs John and Kelly Thoma as a result of Paragraph 5, above?**

ANSWER: \$ 2,700.<sup>00</sup>

  
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Plaintiffs,

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individually and as Co-Executors of the  
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Deceased.**VERDICT FORM 116(COUNT XX)**

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Defendants.

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**1. Were John and Kelly Thoma and Earl Thoma, capable of contracting?**

Answer "yes" or "no."

ANSWER: yes

If your answer is "no," do not answer any further questions.

**2. Did a contract exist between Plaintiff and Earl Thoma in which Earl Thoma and John Thoma agreed to split the cost of fuel for planting and harvesting in 2018?**

Answer "yes" or "no."

ANSWER: no

If your answer is "no," do not answer any further questions.

**3. Was there a sufficient meeting of the minds between Plaintiffs and Defendant on the material terms of the contract?**

Answer "yes" or "no."

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

If your answer is "no," do not answer any further questions.

**4. Have the Plaintiffs done what the contract requires?**

Answer "yes" or "no."

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

If your answer is "no," do not answer any further questions.

**5. Did Earl Thoma breach the contract by failing to pay John Thoma for his portion of the fuel for planting and harvesting in 2018?**

Answer "yes" or "no."

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

If your answer is "no," do not answer any further questions.

**6. What is the total amount of damages, if any, sustained by Plaintiffs John and Kelly Thoma as a result of Paragraph 5, above?**

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

  
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FOREMAN OR FOREWOMAN

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Estate of Ernest William Thoma,  
Deceased.**VERDICT FORM 17 (COUNT XXI)**

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Defendants.

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**1. Were John and Kelly Thoma and Earl Thoma, capable of contracting?**

Answer "yes" or "no."

ANSWER: yes

If your answer is "no," do not answer any further questions.

**2. Did a contract exist between Plaintiffs and Earl Thoma in which Earl Thoma and John Thoma agreed to split the cost of fuel for planting and harvesting in 2019?**

Answer "yes" or "no."

ANSWER: no

If your answer is "no," do not answer any further questions.

**3. Was there a sufficient meeting of the minds between Plaintiffs and Defendant on the material terms of the contract?**

Answer "yes" or "no."

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

If your answer is "no," do not answer any further questions.

**4. Have the Plaintiffs done what the contract requires?**

Answer "yes" or "no."



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

If your answer is "no," do not answer any further questions.

**5. Did Earl Thoma breach the contract by failing to pay John Thoma for his portion of the fuel for planting and harvesting in 2019?**

Answer "yes" or "no."

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

If your answer is "no," do not answer any further questions.

**6. What is the total amount of damages, if any, sustained by Plaintiffs John and Kelly Thoma as a result of Paragraph 5, above?**

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

  
\_\_\_\_\_  
FOREMAN OR FOREWOMAN

**IN THE IOWA DISTRICT COURT IN AND FOR JACKSON COUNTY**

---

JOHN THOMA and KELLY THOMA,

Plaintiffs,

Law No. LACV029023

vs.

SCOTT THOMA and EARL THOMA,  
individually and as Co-Executors of the  
Estate of Ernest William Thoma,  
Deceased.**VERDICT FORM 18 (COUNT XXII)**

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Defendants.

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**1. Were John and Kelly Thoma and Earl Thoma, capable of contracting?**

Answer "yes" or "no."

ANSWER: YES

If your answer is "no," do not answer any further questions.

**2. Did a contract exist between Plaintiffs and Earl Thoma in which Earl Thoma and John Thoma agreed to split the cost of fuel for planting and harvesting in 2020?**

Answer "yes" or "no."

ANSWER: NO

If your answer is "no," do not answer any further questions.

**3. Was there a sufficient meeting of the minds between Plaintiffs and Defendant on the material terms of the contract?**

Answer "yes" or "no."

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

If your answer is "no," do not answer any further questions.

**4. Have the Plaintiffs done what the contract requires?**

Answer "yes" or "no."

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

If your answer is "no," do not answer any further questions.

**5. Did Earl Thoma breach the contract by failing to pay John Thoma for his portion of the fuel for planting and harvesting in 2020?**

Answer "yes" or "no."

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

If your answer is "no," do not answer any further questions.

**6. What is the total amount of damages, if any, sustained by Plaintiffs John and Kelly Thoma as a result of Paragraph 5, above?**

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

  
\_\_\_\_\_  
FOREMAN OR FOREWOMAN

**IN THE IOWA DISTRICT COURT IN AND FOR JACKSON COUNTY**

---

JOHN THOMA and KELLY THOMA,

Plaintiffs,

Law No. LACV029023

vs.

SCOTT THOMA and EARL THOMA,  
individually and as Co-Executors of the  
Estate of Ernest William Thoma,  
Deceased.**VERDICT FORM 19 (COUNT XXIII)**

---

Defendants.

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**1. Did Earl Thoma negligently operate John and Kelly Thoma's 5088 tractor?**

Answer "yes" or "no."

ANSWER: no

If your answer is "no," do not answer any further questions.

**2. Was the fault of Earl Thoma a cause of damage to the plaintiff?**

Answer "yes" or "no."

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

(If your answer is "no," do not answer any further questions.)

**3. Were the plaintiffs, John and Kelly Thoma, at fault?**

Answer: "yes" or "no."

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

(If your answer is "no", do not answer question 4 or 5.)

**4. Was the plaintiffs' fault a cause of his/her damage?**

Answer "yes" or "no."

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

(If your answer is "no," do not answer Question No. 5.)

**5. Using 100% as the total combined fault of plaintiffs, John and Kelly Thoma and Defendant, Earl Thoma's, which was a cause of plaintiff's damage, what percentage of such combined fault do you assign to the plaintiff and what percentage of such combined fault do you assign to the defendant?**

ANSWER: Plaintiffs \_\_\_\_\_ %  
Defendants \_\_\_\_\_ %

TOTAL: 100%

(If you find plaintiffs to be more than 50% at fault, do not answer any further questions.)

**6. What is the total amount of damages, if any, sustained by John and Kelly Thoma as a result of Paragraph 1 above, without taking into consideration any reduction of damages due to plaintiff's fault, if any?**

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

  
FOREMAN OR FOREWOMAN

**IN THE IOWA DISTRICT COURT IN AND FOR JACKSON COUNTY**

---

JOHN THOMA and KELLY THOMA,

Plaintiffs,

vs.

Law No. LACV029023

SCOTT THOMA and EARL THOMA,  
individually and as Co-Executors of the  
Estate of Ernest William Thoma,  
Deceased.**VERDICT FORM 20 (COUNT XXIV)**Defendants.

---

**1. Were John and Kelly Thoma and Earl Thoma, capable of contracting?**

Answer "yes" or "no."

ANSWER: yes

If your answer is "no," do not answer any further questions.

**2. Did a contract exist between Plaintiffs and Earl Thoma in which Earl Thoma and John Thoma agreed to split the use of farm land in 2018?**

Answer "yes" or "no."

ANSWER: yes

If your answer is "no," do not answer any further questions.

**3. Was there a sufficient meeting of the minds between Plaintiffs and Defendant on the material terms of the contract?**

Answer "yes" or "no."

ANSWER: yes

If your answer is "no," do not answer any further questions.

**4. Have the Plaintiffs done what the contract requires?**

Answer "yes" or "no."

ANSWER: yes

If your answer is "no," do not answer any further questions.

**5. Did Earl Thoma breach the contract by refusing to allow John Thoma to use half of the crop grounds in 2018?**

Answer "yes" or "no."

ANSWER: yes

If your answer is "no," do not answer any further questions.

**6. What is the total amount of damages, if any, sustained by Plaintiffs John and Kelly Thoma as a result of Paragraph 5, above?**

ANSWER: \$ 750.00  
\_\_\_\_\_  
FOREMAN OR FOREWOMAN

**IN THE IOWA DISTRICT COURT IN AND FOR JACKSON COUNTY**

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JOHN THOMA and KELLY THOMA,

Plaintiffs,

Law No. LACV029023

vs.

SCOTT THOMA and EARL THOMA,  
individually and as Co-Executors of the  
Estate of Ernest William Thoma,  
Deceased.**VERDICT FORM 21 (COUNT XXV)**

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Defendants.

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**1. Were John and Kelly Thoma and Earl Thoma, capable of contracting?**

Answer "yes" or "no."

ANSWER: YES

If your answer is "no," do not answer any further questions.

**2. Did a contract exist between Plaintiffs and Earl Thoma in which Earl Thoma and John Thoma agreed to split the use of farm land in 2019?**

Answer "yes" or "no."

ANSWER: YES

If your answer is "no," do not answer any further questions.

**3. Was there a sufficient meeting of the minds between Plaintiffs and Defendant on the material terms of the contract?**

Answer "yes" or "no."

ANSWER: YES

If your answer is "no," do not answer any further questions.

**4. Have the Plaintiffs done what the contract requires?**

Answer "yes" or "no."



ANSWER: YES

If your answer is "no," do not answer any further questions.

**5. Did Earl Thoma breach the contract by refusing to allow John Thoma to use half of the crop grounds in 2019?**

Answer "yes" or "no."

ANSWER: YES

If your answer is "no," do not answer any further questions.

**6. What is the total amount of damages, if any, sustained by Plaintiffs John and Kelly Thoma as a result of Paragraph 5, above?**

ANSWER: \$ 750.00

  
\_\_\_\_\_  
FOREMAN OR FOREWOMAN

**IN THE IOWA DISTRICT COURT IN AND FOR JACKSON COUNTY**

---

JOHN THOMA and KELLY THOMA,

Plaintiffs,

Law No. LACV029023

vs.

SCOTT THOMA and EARL THOMA,  
individually and as Co-Executors of the  
Estate of Ernest William Thoma,  
Deceased.**VERDICT FORM 22 (COUNT XXVI)**

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Defendants.

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**1. Were John and Kelly Thoma and Earl Thoma, capable of contracting?**

Answer "yes" or "no."

ANSWER: yes

If your answer is "no," do not answer any further questions.

**2. Did a contract exist between Plaintiff and Earl Thoma in which Earl Thoma and John Thoma agreed to split the use of farm land in 2020?**

Answer "yes" or "no."

ANSWER: yes

If your answer is "no," do not answer any further questions.

**3. Was there a sufficient meeting of the minds between Plaintiffs and Defendant on the material terms of the contract?**

Answer "yes" or "no."

ANSWER: yes

If your answer is "no," do not answer any further questions.

**4. Have the Plaintiffs done what the contract requires?**

Answer "yes" or "no."

ANSWER: yes

If your answer is "no," do not answer any further questions.

**5. Did Earl Thoma breach the contract by refusing to allow John Thoma to use half of the crop grounds in 2020?**

Answer "yes" or "no."

ANSWER: yes

If your answer is "no," do not answer any further questions.

**6. What is the total amount of damages, if any, sustained by Plaintiffs John and Kelly Thoma as a result of Paragraph 5, above?**

ANSWER: \$ 750.<sup>00</sup>

  
\_\_\_\_\_  
FOREMAN OR FOREWOMAN

**IN THE IOWA DISTRICT COURT IN AND FOR JACKSON COUNTY**

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JOHN THOMA and KELLY THOMA,

Plaintiffs,

Law No. LACV029023

vs.

SCOTT THOMA and EARL THOMA,  
individually and as Co-Executors of the  
Estate of Ernest William Thoma,  
Deceased.**VERDICT FORM 23 (COUNT XXVII)**Defendants.

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**1. Did Earl Thoma negligently damage plaintiff's chicken coop, steel porch swing, and hay feeder?**

Answer "yes" or "no."

ANSWER: yes

If your answer is "no," do not answer any further questions.

**2. Was the fault of Earl Thoma a cause of damage to the plaintiffs?**

Answer "yes" or "no."

ANSWER: yes

(If your answer is "no," do not answer any further questions.)

**3. Were the plaintiffs, John and Kelly Thoma, at fault?**

Answer: "yes" or "no."

ANSWER: no

(If your answer is "no", do not answer question 4 or 5.)

**4. Was the plaintiffs' fault a cause of his/her damage?**

Answer "yes" or "no."

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

(If your answer is "no," do not answer Question No. 5.)

**5. Using 100% as the total combined fault of plaintiffs, John and Kelly Thoma and Defendant, Earl Thoma's, which was a cause of plaintiff's damage, what percentage of such combined fault do you assign to the plaintiffs and what percentage of such combined fault do you assign to the defendant, Earl Thoma?**

ANSWER: Plaintiffs \_\_\_\_\_ %  
Defendants \_\_\_\_\_ %

TOTAL: 100%

(If you find plaintiffs to be more than 50% at fault, do not answer any further questions.)

**6. What is the total amount of damages, if any, sustained by John and Kelly Thoma as a result of Paragraph 1 above, without taking into consideration any reduction of damages due to plaintiff's fault, if any?**

ANSWER \$ 500.00

  
FOREMAN OR FOREWOMAN

**IN THE IOWA DISTRICT COURT IN AND FOR JACKSON COUNTY**

---

JOHN THOMA and KELLY THOMA,

Plaintiffs,

Law No. LACV029023

vs.

SCOTT THOMA and EARL THOMA,  
individually and as Co-Executors of the  
Estate of Ernest William Thoma,  
Deceased.**VERDICT FORM 24 (COUNT XXVIII)**Defendants.

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**1. Did the Defendants intentionally damage any of the plaintiff's property?**

Answer "yes" or "no."

ANSWER: NO

If your answer is "no," do not answer any further questions.

**2. Have the plaintiffs already been compensated in another verdict form for any and all property you have found to have been intentionally damaged?**

Answer "yes" or "no."

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

If your answer is "no," do not answer any further questions.

**3. Did the Plaintiffs abandon the property in paragraph 1?**

Answer "yes" or "no."

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

If your answer is "yes," do not answer any further questions.

**4. Did the Defendants commit the act of conversion as to the property at issue?**

Answer "yes" or "no."

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

If your answer is "no," do not answer any further questions.

**5. Was Defendant a gratuitous bailee?**

Answer "yes", "no".

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

**6. If your answer to question 4 is "yes", did Defendants fail to exercise that degree of care for the property as would be exercised by persons of prudence in keeping property of like value under the circumstances?**

Answer "yes", "no", or skip if inapplicable.

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

If your answer is "no," do not answer any further questions.

**7. What is the total amount of damages, if any, sustained by Plaintiffs John and Kelly Thoma, as a result of damage to the property at issue?**

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

If your answer is \$0 do not answer any further questions.

**8. Of the damages in Paragraph 7, what amount do you assign to each of the Co-Executors together, Earl Thoma, or Scott Thoma?**

ANSWER: Co-Executors \$ \_\_\_\_\_  
Earl Thoma \$ \_\_\_\_\_  
Scott Thoma \$ \_\_\_\_\_

TOTAL: (must match Answer #7)

  
\_\_\_\_\_  
FOREMAN OR FOREWOMAN

## IN THE IOWA DISTRICT COURT IN AND FOR JACKSON COUNTY

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JOHN THOMA and KELLY THOMA,

Plaintiffs,

vs.

VERDICT FORM 25  
(COUNTERCLAIM COUNT II)SCOTT THOMA, as Co-Executor, and  
EARL THOMA, individually and as Co-  
Executor of the Estate of Ernest William  
Thoma,

07491 LACV029023

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Defendants.

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**1. Did John and Kelly consume water and electricity from the Estate after being ordered to vacate?**

Answer "yes" or "no."

ANSWER: yes

If your answer is "no," do not answer any further questions.

**2. Have John and Kelly failed to pay for the water and electricity usage?**

Answer "yes" or "no."

ANSWER: yes

If your answer is "no," do not answer any further questions.

**3. What is the total amount of damages, if any, sustained by the Co-Executors as a result of Paragraph 2, above?**

ANSWER: \$ 900.<sup>00</sup>  
FOREMAN OR FOREWOMAN