

IN THE IOWA DISTRICT COURT FOR POLK COUNTY

RICHARD BALDWIN,

Plaintiff,

vs.

ATHENE ANNUITY AND LIFE
COMPANY, an Iowa corporation,
a/k/a MLS IOWA ATHENE, f/k/a
AVIVA LIFE AND ANNUITY,

Defendants.

CASE NO. CVCV054026

**SPECIAL VERDICTS
AND
SPECIAL INTERROGATORIES**

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

**SPECIAL VERDICT NO. 1
MALICIOUS PROSECUTION****Question No. 1:** Did Mr. Baldwin prove his claim of malicious prosecution as set forth in**Instruction No. 16?**

Answer "yes" or "no."

ANSWER: NoIf you answered "yes" proceed to Special Verdict No. 2. If you answered "no" proceed to
Special Verdict No. 2.**SPECIAL VERDICT NO. 2
INTENTIONAL INTERFERENCE WITH
PROSPECTIVE BUSINESS RELATIONS****Question No. 2:** Did Mr. Baldwin prove his claim of intentional interference with
prospective business relations as set forth in **Instruction No. 22?**

Answer "yes" or "no."

ANSWER: No

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If you answered "yes" proceed to Special Verdict No. 3. If you answered "no" proceed to Special Verdict No. 3.

CLERK DISTRICT COURT

SPECIAL VERDICT NO. 3
IDENTITY THEFT

Question No. 3: Did Mr. Baldwin prove his claim of identity theft as set forth in

Instruction No. 29?

Answer "yes" or "no."

ANSWER: No

If you answered "yes" proceed to Special Verdict No. 4. If you answered "no" to Special Verdict Nos. 1-3 answer no more questions.

SPECIAL VERDICT NO. 4
DEFENSE OF GOOD FAITH IMMUNITY

Question No. 4: Did Athene prove their defense of good faith immunity as set forth in

Instruction No. 33

Answer "yes" or "no."

ANSWER: _____

If you answered "yes" do not answer any more questions. If you answered "no" proceed to the Special Verdict No. 5.

SPECIAL VERDICT NO. 5

Question No. 5: State the amount of damages sustained by Mr. Baldwin caused by Athene.

- | | |
|--|----------|
| 1. Past lost income | \$ _____ |
| 2. Future lost earning capacity | \$ _____ |
| 3. Noneconomic | \$ _____ |
| TOTAL (add the separate items of damage) | \$ _____ |

If you answered "yes" to Special Verdict No. 3 then proceed to Special Verdict No. 6.

SPECIAL VERDICT NO. 6
DAMAGES – IDENTITY THEFT

Question No. 6: State the amount of damages sustained by Mr. Baldwin caused by Athene's identity theft.

\$ _____

SPECIAL VERDICT NO. 7**DEFENSE OF MITIGATION OF DAMAGES**

Question No. 7: Did Athene prove their defense of mitigation of damages as set forth in Instruction No. 38?

Answer "yes" or "no"

ANSWER: _____

If you answered "yes" proceed to Question No. 8. If you answered "no" do not answer Question No. 8

Question No. 8: State the amount of damages you believe that Mr. Baldwin could have avoided.

\$ _____

SPECIAL VERDICT NO. 8

Question No. 9: Do you find by a preponderance of clear, convincing and satisfactory evidence the conduct of Athene constituted willful and wanton disregard for the rights or safety of another?

Answer "yes" or "no"

ANSWER: _____

If your answer to Question No. 9 is "No" do not answer Question Nos. 10.

Question No. 10: Was the conduct of Athene directed specifically at Mr. Baldwin?

Answer "yes" or "no"

ANSWER: _____



FOREPERSON*

*To be signed only if verdict is unanimous.

Juror**

Juror**

Juror**

Juror**

Juror**

Juror**

Juror**

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