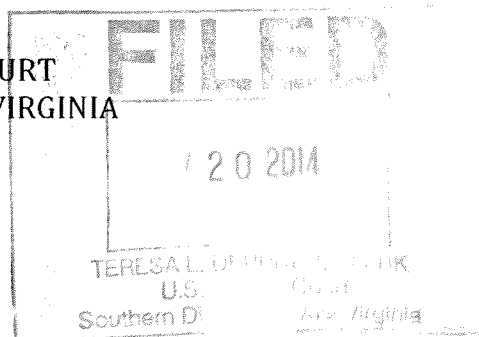


IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA

CHARLESTON DIVISION



JACQUELYN TYREE, et al.,  
Plaintiffs,

v.  
BOSTON SCIENTIFIC CORPORATION,  
Defendant.

CIVIL ACTION NO. 2:12-cv-08633

**VERDICT FORM FOR JACQUELYN TYREE**

We the jury, by a preponderance of the evidence, unanimously answer the following special interrogatories:

**DESIGN DEFECT**

1) Has Plaintiff Jacquelyn Tyree proven that there was a defect in the design of the Obtryx device?

YES  NO

**If you answered YES to Question 1, proceed to Question 2. If you answered NO, proceed to Question 3.**

2) Has Plaintiff Jacquelyn Tyree proven that the design defect in the Obtryx device proximately caused or contributed to the injury complained of by her?

YES  NO

**FAILURE TO WARN**

3) Has Plaintiff Jacquelyn Tyree proven that Boston Scientific's warnings provided to her implanting surgeon, Dr. Bernard Luby, were inadequate?

YES  NO

**If you answered YES to Question 3, proceed to Question 4. If you answered NO, proceed to Question 5.**

4) Has Plaintiff Jacquelyn Tyree proven that Boston Scientific's lack of adequate warning proximately caused or contributed to the injury complained of by her?

YES  NO

**NEGLIGENCE**

5) Has Plaintiff Jacquelyn Tyree proven that Boston Scientific was negligent in connection with designing the Obtryx and/or providing adequate warnings?

YES  NO

**If you answered YES to Question 5, proceed to Question 6. If you answered NO, please skip Question 6.**

6) Has Plaintiff Jacquelyn Tyree proven that Boston Scientific's negligence proximately caused or contributed to the injury complained of by her?

YES  NO

**IF YOU ANSWERED "NO" TO EVERY QUESTION ABOVE THAT REQUIRED YOUR RESPONSE, DO NOT ANSWER THE REMAINING INTERROGATORIES. PLEASE SIGN AND DATE THE FORM AND TELL THE COURT SECURITY OFFICER THAT YOU HAVE REACHED A VERDICT.**

**IF YOU ANSWERED "YES" TO QUESTIONS 1 AND 2 OR QUESTIONS 3 AND 4 OR QUESTIONS 5 AND 6, PLEASE PROCEED TO QUESTION 7.**

**DAMAGES**

7) What amount of damages has Plaintiff Jacquelyn Tyree proven?

a) For past pain, suffering, mental anguish, disability, or loss of enjoyment of life, if any

\$ 250,000.<sup>00</sup>

b) For pain, suffering, mental anguish, disability, or loss of enjoyment of life that, to a reasonable degree of certainty, will be sustained in the future, if any

\$ 3,000,000.<sup>00</sup>

TOTAL \$ 3,250,000.<sup>00</sup>

8) Has Plaintiff Jacquelyn Tyree proven by a preponderance of the evidence that Boston Scientific's actions showed gross fraud, malice, oppression, or wanton, willful, or reckless conduct, such that this is an appropriate case for an award of punitive damages?

YES

NO

**UPON COMPLETION, THE FOREPERSON SHOULD SIGN AND DATE THE VERDICT FORM AND SEND OUT A NOTE THAT YOU HAVE REACHED A VERDICT.**

11/20/2014 \_\_\_\_\_

FOREPERSON

\_\_\_\_\_  
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