

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF KENTUCKY
CENTRAL DIVISION
(at Frankfort)

KERRY HINKLE, Administrator of the)
Estate of Kiara Hinkle, JASON TURNER,)
and NATYA STAFFORD,)

Plaintiffs,)

V.)

FORD MOTOR COMPANY,)

Defendant.)

Civil Action No. 3: 11-24-DCR

VERDICT FORM

*** **

INTERROGATORY NO. 1

Do you believe by a preponderance of the evidence that:

(1) The 2004 All Wheel Drive ("AWD") Mercury Mountaineer was in a defective and unreasonably dangerous condition to the user by reason of its design at the time it was designed and manufactured?

YES

NO

(Circle your answer)

(2) The condition existed at the time the subject 2004 AWD Mercury Mountaineer was manufactured by Ford Motor Company?

YES

NO

(Circle your answer)

(3) Such condition created such a risk of accidental injury to users that an ordinary reasonable and prudent company engaged in the manufacture of such a product, being fully aware of that risk, would not have put the product on the market?

YES

☒ NO

(Circle your answer)

(4) At the time the subject 2004 AWD Mercury Mountaineer was designed and manufactured, its design did not conform to the generally recognized and prevailing standards or the state-of-the-art in existence at the time?

YES

☒ NO

(Circle your answer)

(5) The plaintiffs have proposed a practicable, feasible, and safer alternative design?

YES

☒ NO

(Circle your answer)

(6) The condition was a substantial factor in causing bodily injury to the plaintiffs and damage to the 2004 AWD Mercury Mountaineer itself?

YES

☒ NO

(Circle your answer)

If you answered "YES" to all six questions above, proceed to Interrogatory No. 2. If you answered "NO" to any of the six questions above, the foreperson should sign and date the Verdict Form and no other questions need be answered.

INTERROGATORY NO. 2

(1) The decedent Kiara Hinkle had a duty to exercise ordinary care for the safety of herself, her passengers Natya Stafford and Jason Turner, and Ms. Stafford's property, the 2004 All Wheel Drive ("AWD") Mercury Mountaineer, by the safe operation of the 2004 AWD Mercury Mountaineer upon a public roadway. These general duties include all of the following specific duties: (a) to have the vehicle under reasonable control; and (b) to drive in a manner that was reasonable and prudent, having regard for the traffic and for the condition of the roadway.

(2) "Ordinary care" as used in this interrogatory means the degree of care that an ordinarily prudent person would exercise under the conditions and circumstances similar to those proven in this case.

(3) Do you believe from the evidence that Kiara Hinkle failed to comply with her duties or that such failure was a substantial factor in causing the plaintiffs' injuries?

YES

NO

(Circle your answer)

If you answered "YES" to this Interrogatory, proceed to Interrogatory No. 3. If you answered "NO" to this Interrogatory, proceed to Interrogatory No. 4.

INTERROGATORY NO. 3

(1) If you answered "YES" to all questions in Interrogatory No. 1 and "YES" to Interrogatory No. 2, then you shall determine from the evidence and indicate on the space provided the percentage of total fault which is attributable to each of the parties at fault. In determining the percentages of fault, you shall consider (a) the nature of the conduct of each party at fault, and (b) the extent of the causal relationship of each party's conduct and the damages claimed. Your computation must total 100 percent (%). If you have previously found any party not to have been at fault, you shall write "0" in the space provided for that party.

Kiara Hinkle _____ %

Ford Motor Company _____ %

100%

Proceed to Interrogatory No. 4.

INTERROGATORY NO. 4

(1) If you answered "YES" to all six questions in Interrogatory No. 1, and found for Plaintiffs Kerry Hinkle, as the Administrator of the Estate of Kiara Hinkle, Jason Turner, and/or Natya Stafford, you shall determine from the evidence and state on the space provided below the sum or sums of money which you believe would fairly and reasonably compensate the plaintiffs for damages sustained as a direct result of the subject motor vehicle crash. The following are damages that you believe from the evidence each plaintiff sustained directly as a result of his or her injuries in the motor vehicle crash.

The Estate of Kiara Hinkle:

- A. Funeral Expenses: \$ _____
(Not to exceed \$6,827.98)
- B. Destruction of power to earn money: \$ _____
(Not to exceed \$6,310,148.00)

Jason Turner:

- A. Past medical expenses: \$ _____
(Not to exceed \$231,961.25)
- B. Past and future physical and mental suffering: \$ _____

Natya Stafford:

- A. Past medical expenses: \$ _____
(Not to exceed \$31,338.06)
- B. Physical and mental pain and suffering: \$ _____

Date

FOREPERSON (and Juror Number)

(#490)
5/22/2013