

**FIRST JUDICIAL DISTRICT COURT
COUNTY OF SANTA FE
STATE OF NEW MEXICO**

FILED 1st JUDICIAL DISTRICT COURT
Santa Fe County
10/11/2019 1:02 PM
KATHLEEN VIGIL CLERK OF THE COURT
Jessica Garcia

No. D-101-CV-2017-02015

**LEE HUNT, ESQ., as Personal
Representative of the Wrongful Death
Estate of KATHRYN ARMIJO,
Deceased, KACEE ARMIJO,
ALFONSO DENNIS ARMIJO, and
MAGGIE ARMIJO,**

Plaintiffs,

v.

WERNER ENTERPRISES, INC.,

Defendant.

SPECIAL VERDICT FORM

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On the questions submitted, the jury finds as follows:

Question No. 1: Were Jose Johnson and/or Gabriel Perez negligent?

Answer: Yes (Yes or No)

If the answer to Question No. 1 is "No," you are not to answer further questions. Your foreperson must sign this special verdict, which will be your verdict for Defendant Werner and against Plaintiffs, and you will all return to open court.

If the answer to Question No. 1 is "Yes," you are to answer Question No. 2.

Question No. 2: Was any negligence of Jose Johnson and/or Gabriel Perez a cause of Kathryn Armijo's death and Plaintiffs' damages?

Answer: Yes (Yes or No)

If the answer to Question No. 2 is "No," you are not to answer further questions. Your foreperson must sign this special verdict, which will be your verdict for Defendant Werner and against Plaintiffs, and you will all return to open court.

If the answer to Question No. 2 is "Yes," you are to answer Question No. 3.

Question No. 3: Was Defendant Werner Enterprises, Inc. negligent?

Answer: Yes (Yes or No)

If the answer to Question No. 3 is "No," please proceed directly to Question No. 5.

If the answer to Question No. 3 is "Yes," you are to answer Question No. 4.

Question No. 4: Was any negligence of Defendant Werner Enterprises, Inc. a cause of Kathryn Armijo's death and Plaintiffs' damages?

Answer: Yes (Yes or No)

If the answer to Question No. 4 is either "Yes" or "No," please proceed to Question No. 5.

Question No. 5:

In accordance with the damage instructions given by the court, we find the total amount of damages suffered by Plaintiffs to be as follows:

Wrongful Death Estate of Kathryn Armijo \$ 10,000,000.00 (10 million)
Plaintiff Kacee Armijo \$ 12,500,000.00 (12.5 million)
Plaintiff Maggie Armijo \$ 4,000,000.00 (4 million)
Plaintiff Dennis Armijo \$ 4,000,000.00 (4 million)

(Here enter the total amount of damages without any inclusion of punitive damages.)

You are only to proceed to Question No. 6 if the answers to Question Nos. 3 and 4 were both "Yes."

If the answer to either Question No. 3 or Question No. 4 was "No," your foreperson must sign this special verdict, and you will all return to open court.

Question No. 6:

Were the acts of Defendant Werner Enterprises, Inc. either willful, wanton, or reckless?


Answer: Yes (Yes or No)

If the answer to Question No. 6 is "No," you may not award punitive damages. Your foreperson must sign this special verdict, and you will all return to open court.

If the answer to Question No. 6 is "Yes," you may proceed below to award punitive damages in accordance with the punitive damages instructions given by the court.

We award punitive damages, if any, against Defendant Werner Enterprises, Inc. in the following amount:

\$ 10,000,000.00 (10 million)


Foreperson

10/11/2019
Date