

STATE OF NEW MEXICO
BERNALILLO COUNTY
SECOND JUDICIAL DISTRICT COURT

MICHAEL E. SANCHEZ,

Plaintiff,

v.

No: D-202-CV-2020-06336

NUMALE CORPORATION (a Nevada Corp.), NUMALE
ALBUQUERQUE L.L.C. d/b/a NuMale Medical Center
(a Wisconsin Corp.), NUMALE NEW MEXICO S.C. CORP.
d/b/a NuMale Medical Center (a Wisconsin Corp.),
CHRISTOPHER ASANDRA M.D., CARLOS FELICIANO M.D.,
BRAD PALUBICKI, JUSTIN PULLIAM,
STEVEN G. CHAPMAN P.A.-C and MIKE RIVERA

Defendants.

SPECIAL VERDICT FORM

On the questions submitted, the jury finds as follows:

I. Fraud Claim

QUESTION 1: Was any conduct by any Numale Defendant fraudulent?

Answer: Yes X No _____

If your answer to this question is "Yes" you are to answer Question 2.

If your answer to this question is "No", proceed to Question 3.

QUESTION 2: Was any fraudulent conduct by Numale a cause of Plaintiff's damages?

Answer: Yes X No _____

Proceed to Question 3.

II. Negligence Claims

QUESTION 3: Was any conduct by any Numale Defendant negligent?

Answer: Yes X No _____

If your answer to this question is "Yes" you are to answer Question 4.

If your answer to this question is "No", proceed to Question 5.

QUESTION 4: Was any negligent conduct by Numale a cause of Plaintiff's damages?

Answer: Yes X No _____

Proceed to Question 5.

III. Claim for Unconscionable Conduct in Violation of the Unfair Practices Act

QUESTION 5: Was any conduct by any Numale Defendant an unconscionable trade practice in violation of the Unfair Practices Act?

Answer: Yes X No _____

If your answer to this question is "Yes" you are to answer Question 6.

If your answer to this question is "No", proceed to Question 7.

QUESTION 6: Was any unconscionable conduct under the Unfair Practices Act a cause of Plaintiff's damages?

Answer: Yes X No _____

Proceed to Question 7.

IV. Claim for Unfair or Deceptive Conduct in Violation of the Unfair Practices Act

QUESTION 7: Was any conduct by any Numale Defendant an unfair or deceptive trade practice in violation of the Unfair Practices Act?

Answer: Yes X No _____

If your answers to Questions 1, 2, 3, 4, 5, 6 and 7 are all "No", you are not to answer further questions. Your foreperson must sign this special verdict, which will be your verdict for Defendants and against Plaintiff, and you will all return to open court.

If you answered "Yes" to both Questions 1 and 2 and/ or to both Questions 3 and 4 and/ or to both Questions 5 and 6, and /or Question 7 you are to proceed to Question 8.

V. Damages

QUESTION 8: In accordance with the damages instruction given by the Court, we find the total amount of compensatory damages suffered by Plaintiff to be:

\$ 37,005,149.00

Proceed to Question 9.

QUESTION 9: Compare the responsibility of the following parties and find a percentage for each. The total of the percentages must equal 100%, but the percentages for any one of the parties named may be zero if you found that party was not responsible.

Numale Defendants	<u>100%</u>
Michael E. Sanchez	<u>0%</u>
	100% TOTAL

The court will multiply the percentages of the Numale Defendants times Plaintiff's total damages as found by the jury under Question 8. The Court will then enter judgment for Plaintiffs against the Numale Defendants in the proportion of damages found as to the Defendants. If the percentage found by the court for the Numale Defendants is zero, then the court will enter judgment in favor of the Numale Defendants and against the Plaintiff.

If you assigned a numerical percentage of fault to the Numale Defendants in response to Question 9, you are to answer Question 10 below.

VI. Punitive Damages

QUESTION 10: Was the cumulative conduct of Numale Corporation acting through its agents and subsidiary corporations either willful, wanton or reckless?

Answer: Yes X No _____

If "Yes" enter the amount of punitive damages against Defendant Numale Corporation:

\$ 375,000,000.00

Proceed to Question 11.

QUESTION 11: Was any wrongful conduct by two or more of the Numale Defendants a cause of harm to Michael E. Sanchez? Specifically did two or more of the Numale Defendants act together to accomplish an unlawful purpose, or to accomplish a lawful purpose by unlawful means?

Answer: Yes X No _____

If your answer is "yes", place an "X" next to each of the Numale Defendants who acted together to accomplish an unlawful purpose or a lawful purpose by unlawful means:

X Numale Corporation
X Numale New Mexico S. C. Corp.
X Numale Albuquerque LLC
X Christopher Asandra MD
X Carlos Feliciano MD
X Brad Palubicki
X Justin Pulliam


Foreperson

Nov 25, 2024
Date