

## **VERDICT FORM**

**We, the jury, return the following verdict:**

### **Count I – Invalidate First Trust Amendment**

1. Did the Plaintiffs prove by the greater weight of the evidence that the First Trust Amendment is invalid because it is the product of undue influence exerted by the Defendant over the Decedent?

YES \_\_\_\_\_ NO \_\_\_\_\_

If your answer to Questions 1 is NO, your verdict on Count I is for the Defendant. Proceed to Question 3. If your answer to Questions 1 is YES, please answer question 2.

2. Did the Defendant prove by the greater weight of the evidence that the Decedent made a valid First Trust Amendment?

YES \_\_\_\_\_ NO \_\_\_\_\_

If any of your answer to question 2 is YES, your verdict is in favor of Defendant. If your answer to questions 2 is NO, your verdict is in favor of the Plaintiffs

### **Count II – Tortious Interference**

3. Did Plaintiffs prove by the greater weight of the evidence that the Decedent had a fixed expectation that the Plaintiffs would inherit certain assets from him upon his death?

YES \_\_\_\_\_ NO \_\_\_\_\_

4. Did Plaintiffs prove by the greater weight of the evidence that Defendant intentionally interfered with the Decedent's expectancy?

YES \_\_\_\_\_ NO \_\_\_\_\_

5. Did Plaintiffs prove by the greater weight of the evidence that Defendant intentionally interfered with Decedent's expectancy of inheritance through tortious conduct?

YES \_\_\_\_\_ NO \_\_\_\_\_

6. Did Plaintiffs prove by the greater weight of the evidence that as a result of Defendant's interference, they suffered reasonably certain damages?

YES \_\_\_\_\_ NO \_\_\_\_\_

If any of your answers to questions 3 through 6 are NO, your verdict on Count II is in favor of Defendant. If your answers to questions 3 through 6 are YES, please answer question 7.

7. Did Defendant prove by the greater weight of the evidence that Plaintiffs had an adequate remedy in the probate proceedings and failed to exhaust their probate remedies?

YES \_\_\_\_\_ NO \_\_\_\_\_

If your answer to question 7 is YES, your verdict on Count II is in favor of the Defendant. If your answer to question 7 is NO, your verdict on Count II is for the Plaintiff. Please answer question 8.

8. We award Plaintiffs for Count II tortious interference with an expected inheritance the sum of \$\_\_\_\_\_.

SO SAY WE ALL, this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

\_\_\_\_\_

FOREPERSON