

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

WAYNE L. SIMMS and
TRACEY SIMMS

*

Plaintiffs

*

vs.

* CIVIL NO. H-02-1261

MUTUAL BENEFIT INSURANCE COMPANY*

Defendant

*

* * * oOo * * *

VERDICT SHEET

1. Do you find by clear and convincing evidence that Wayne L Simms and Tracey Simms, in presenting their insurance claims, knowingly made an intentional misrepresentation or misrepresentations to defendant Mutual Benefit Insurance Company which were material to defendant's investigation of the claims, for the specific purpose of defrauding the insurance carrier?

Yes

No ✓

INSTRUCTION TO THE JURY: If you have answered "Yes" to Question No. 1, your verdict will be in favor of the defendant and you then need not answer Question No. 2. If you have answered "No" to Question No. 1, your verdict will be in favor of the plaintiffs and you should then go on to Question No. 2.

2. If you have found for the plaintiffs, you should decide the amount of damages to be awarded to the plaintiffs. In awarding

damages, you must itemize your award pursuant to the terms of policy and show the amount proved by a preponderance of evidence to be recoverable by plaintiffs, if any, for:

- (1) Replacement of plaintiffs' dwelling \$ 618,640.00
 - (2) Repair of other structures affected
by the fire \$ 8,520.00
 - (3) Replacement costs for personal or
other items of property owned by
plaintiffs \$ 350,000
 - (4) Cost of alternate living expenses
for the period of time plaintiffs
were forced to remain out of the
home \$ 32,105.00
 - (5) Debris removal \$ 10,000.00
 - (6) Trees and other shrubbery \$ 3,250.00
 - (7) Contents of refrigerated units \$ 432.00
 - (8) Death of plaintiffs' birds \$ 200.00
- TOTAL \$ 1,023,147.00


Foreperson

DATED: 11/14/03