

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

ANDREW PAUL LEONARD,)
)
 Plaintiff,)
)
 v.)
) C.A. No: 08-067-LPS-CJB
) Consolidated
 STEMTECH HEALTH SCIENCES,)
 INC. and DOES 1-100, Inclusive,)
)
 Defendants.)
)
 _____)

VERDICT FORM

QUESTION 1: Direct Copyright Infringement – Image 3

a) Did Andrew Leonard’s Image 3 constitute an original work?

Yes No

If your answer to this question is yes, then answer **question 1b**. If your answer to this question is no, then skip to **question 4** and answer it.

b) Does Andrew Leonard own the copyright to Image 3?

Yes No

If your answer to this question is yes, then answer **question 1c**. If your answer to this question is no, then skip to **question 4** and answer it.

c) Did Stemtech copy Andrew Leonard’s Image 3 without his permission?

Yes No

Answer **question 2**.

QUESTION 2: Vicarious Copyright Infringement – Image 3

- a) Did any of Stemtech's independent distributors copy Andrew Leonard's Image 3 without his permission?

Yes No

If your answer to this question is yes, then answer **question 2b**. If your answer to this question is no, then skip to **question 4** and answer it.

- b) Did Stemtech have the right and ability to stop or limit its independent distributors' infringement of Image 3 but fail to do so?

Yes No

If your answer to this question is yes, then answer **question 2c**. If your answer to this question is no, then skip to **question 3** and answer it.

- c) Did Stemtech directly profit from or have a direct financial interest in its independent distributor(s)' infringement of Andrew Leonard's Image 3?

Yes No

Answer **question 3**.

QUESTION 3: Contributory Copyright Infringement – Image 3

- a) Did Stemtech know that its independent distributor(s) were directly infringing upon Andrew Leonard's Image 3?

Yes No

If your answer to this question is yes, then answer **question 3b**. If your answer to this question is no, then skip to **question 4** and answer it.

- b) Did Stemtech intentionally induce its independent distributor(s) to infringe upon Andrew Leonard's Image 3 or materially contribute to the infringement of Image 3?

Yes No

Answer **question 4**.

QUESTION 4: Direct Copyright Infringement – Image 4

a) Did Andrew Leonard's Image 4 constitute an original work?

Yes No

If your answer to this question is yes, then answer **question 4b**. If your answer to this question is no, then skip to **question 7** and answer it.

b) Does Andrew Leonard own the copyright to Image 4?

Yes No

If your answer to this question is yes, then answer the next **question 4c**. If your answer to this question is no, then skip to **question 7** and answer it.

c) Did Stemtech copy Andrew Leonard's Image 4 without his permission?

Yes No

Answer **question 5**.

QUESTION 5: Vicarious Copyright Infringement – Image 4

- a) Did any of Stemtech's independent distributors copy Andrew Leonard's Image 4 without his permission?

Yes No

If your answer to this question is yes, then answer **question 5b**. If your answer to this question is no, then skip to **question 7** and answer it.

- b) Did Stemtech have the right and ability to stop or limit its independent distributors' infringement of Image 4 but fail to do so?

Yes No

If your answer to this question is yes, then answer **question 5c**. If your answer to this question is no, then skip to **question 6** and answer it.

- c) Did Stemtech directly profit from or have a direct financial interest in its independent distributor(s)' infringement of Andrew Leonard's Image 4?

Yes No

Answer **question 6**.

QUESTION 6: Contributory Copyright Infringement – Image 4

- a) Did Stemtech know that its independent distributor(s) were directly infringing upon Andrew Leonard's Image 4?

Yes No

If your answer to this question is yes, then answer **question 6b**. If your answer to this question is no, then skip to **question 7** and answer it.

- b) Did Stemtech intentionally induce its independent distributor(s) to infringe upon Andrew Leonard's Image 4 or materially contribute to the infringement of Image 4?

Yes No

Answer **question 7**.

QUESTION 7: Liability

Did you answer YES to any of the following questions: Questions 1c), 2c), 3b), 4c), 5c) or 6b)?

X Yes _____ No

If your answer to this question is yes, then answer **question 8**. If your answer to this question is no, stop here, and answer no further questions. You have completed the verdict form. Please sign and date below.

QUESTION 8: Damages

What are Andrew Leonard's actual damages?

\$1.6 million

You have completed the verdict form. Please sign and date below.

1 1 ~