UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
CASE NO. 08-MD-01916-MARRA

IN RE: CHIQUITA BRANDS INTERNATIONAL, INC.
ALIEN TORT STATUTE AND SHAREHOLDER
DERIVATIVE LITIGATION

This Document Relates to:

ATS ACTIONS

17-80535-CIV-MARRA (Ohio *Montes*)
18-80800-CIV-MARRA (remanded/severed *Does 1-144*)
07-60821-CIV-MARRA (*Carrizosa*)
08-80421-CIV-MARRA (N. J. Action) (*Does 1-11*)
08-80465-CIV-MARRA (D.C. Action) (*Does 1-144*)
08-80508-CIV-MARRA (*Valencia*)
08-80480-CIV-MARRA (*Manjarres*)
10-60573-CIV-MARRA (*Montes*)
17-81285-CIV-MARRA (D.C. Action) (*Does v Hills*)
18-80248-CIV-MARRA (*John Doe 1*)
_____/

VERDICT

We, the jury, find as follows:

1. Did the Plaintiffs prove by a preponderance of the evidence that the AUC in fact killed the persons listed below?

[redacted]	✓ YES	NO
[redacted]	✓ YES	NO
[redacted]	✓ YES	NO
[redacted]	YES	✓ NO
[redacted]	✓ YES	NO
[redacted]	✓ YES	NO
[redacted]	✓ YES	NO
[redacted]	✓ YES	NO
[redacted]	✓ YES	NO
[redacted]	✓ YES	NO

If you answered "NO" for all of the foregoing persons, your deliberations are complete and you shall proceed to the signature page at the bottom of this Verdict Form.

If you answered "YES" for any of the foregoing persons, please proceed to Question 2. The remainder of your deliberations will be only for those persons for whom you answered "YES" to Question 1.

2. Did Plaintiffs prove, by a preponderance of the evidence, that Chiquita failed to act as a reasonable businessperson would have acted under the circumstances of this case?

✓	
YES	NO

If you answered "NO" to Question 2, your verdict is for Chiquita on the General Tort Liability Claim. Now proceed to Question 5.

If you answered "YES" to Question 2, proceed to Question 3.

3. Did the Plaintiffs prove by a preponderance of the evidence that Chiquita knowingly provided substantial assistance to the AUC in the form of cash payments or other means of support to a degree sufficient to create a foreseeable risk of harm to others, including that Plaintiff's relative?

✓	
YES	NO

If you answered "NO" to Question 3, your verdict is for Chiquita on the General Tort Liability claim. Now please procced to Question 5.

If you answered "YES" to Question 3, please indicate to which decedent(s) this finding applies:

[redacted]	✓ YES	NO
[redacted]	✓ YES	NO
[redacted]	✓ YES	NO
[redacted]	YES	✓ NO

[redacted]

✓ YES	NO
✓ YES	NO
✓ YES	NO
✓ YES	NO
✓ YES	NO

Now please answer Question 4.

4. Did Chiquita prove by a preponderance of the evidence that the assistance it provided to the AUC was the result of:

a. An unlawful, present, immediate, and impending threat from the AUC of death or serious harm to Chiquita, its employees or property; and that

b. Chiquita's own negligent or reckless conduct did not create a situation where Chiquita was forced to provide assistance to the AUC; and that

c. Chiquita had no reasonable alternative to provide assistance the AUC?

YES	✓ NO

If you answered "YES" to Question # 4, your verdict is for Chiquita on the General Tort Liability Claim. Now proceed to Question 5.

If you answered "NO" to Question #4, you have found Chiquita liable to at least one Plaintiff on the General Tort Liability claim, and you will have to assess what damages, if any, to award the Plaintiff or Plaintiffs to whom you have found Chiquita liable.

Before addressing the question of damages for that Plaintiff or Plaintiffs, you must answer the Questions relating to Plaintiffs Hazardous Activity claim. Please proceed to answer Question # 5.

5. Did Chiquita's assistance to the AUC constitute a hazardous activity which increased risk to members of the community beyond those to which members of the community were normally exposed?

✓ YES _____ NO

If your answer to this Question is No, your verdict on the Hazardous Activity claim is for Chiquita. If your verdict on the General Tort Liability claim was also for Chiquita, your deliberations are complete and you shall proceed to the signature page at the bottom of this Verdict Form.

If you answered YES to Question 5, please proceed to Question 6.

6. Did the Plaintiffs prove by a preponderance of the evidence that in conducting a hazardous activity, Chiquita knowingly provided substantial assistance to the AUC to a degree sufficient to create a foreseeable risk of harm to others, including that Plaintiff's relative?

✓ YES _____ NO

If your answer to this Question is NO, your verdict is for Chiquita on the Hazardous Activity claim. If your verdict on the General Tort Liability claim was also for Chiquita, your deliberations are complete and you shall proceed to the signature page at the bottom of this Verdict Form.

If you answered YES to Question 6, please indicate to which decedent(s) this finding applies:

[redacted] ✓ YES _____ NO

[redacted] ✓ YES _____ NO

[redacted] ✓ YES _____ NO

[redacted]

YES	✓ NO
✓ YES	NO
✓ YES	NO
✓ YES	NO
✓ YES	NO
✓ YES	NO

Now please answer Question 7.

7. Did Chiquita prove by a preponderance of the evidence that the assistance it provided to the AUC was the result of:

a. An unlawful, present, immediate, and impending threat from the AUC of death or serious harm to Chiquita, its employees or property; and that

b. Chiquita's own negligent or reckless conduct did not create a situation where Chiquita was forced to provide assistance to the AUC; and that

c. Chiquita had no reasonable alternative to provide assistance the AUC?

YES	✓ NO

If your answer to this Question is Yes, your verdict is for Chiquita on the Hazardous Activity claim. If your verdict on the General Tort Liability claim was also for Chiquita, your deliberations are complete and you shall proceed to the signature page at the bottom of this Verdict Form.

If your answer to this question is NO, please proceed to Question 8.

8. What damages (if any) did Plaintiffs prove by a preponderance of the evidence were suffered as a consequence of the death of the persons to whom you noted "YES" in either Question 3 or 6?

Note: The plaintiffs are listed below under the names of their relatives/decedents as they are listed in Question 3 and 6.

[redacted]

[redacted]
Decedent's Pre-Death Damages

$ 2,400,000
$ 100,000

[redacted]

[redacted]
Decedent's Pre-Death Damages

$ 2,100,000
$ 2,100,000
$ 0

[redacted]

$ 2,300,000
$ 0

[redacted]

[redacted]
Decedent's Pre-Death Damages

$ 0
$ 0

[redacted]

[redacted]
Decedent's Pre-Death Damages

$ 2,700,000
$ 0

[redacted]

[redacted]

$ 2,600,000
$ 2,600,000
$ 2,600,000

[redacted]
Decedent's Pre-Death Damages

$ 2,600,000
$ 2,600,000
$ 2,600,000
$ 2,600,000
$ ~~2,600,000~~ 0.00

[redacted]

[redacted]
Decedent's Pre-Death Damages

$ 2,000,000
$ 2,000,000
$ 0

[redacted]

[redacted]
Decedent's Pre-Death Damages

$ 2,100,000
$ 0

[redacted]

[redacted]

$ 2,100,000
$ 200,000

Your deliberations are complete and you shall proceed to the signature page at the bottom of this Verdict Form.

SO SAY WE ALL this 10th day of June 2024.

[redacted]
Foreperson's Signature

[redacted]
Foreperson print name