

STATE OF MINNESOTA
COUNTY OF HENNEPIN

DISTRICT COURT
FOURTH JUDICIAL DISTRICT

Court File No: 27-CV-14-15139
Judge: Regina M. Chu

Staffing Specifix, Inc.,

Plaintiff,

SPECIAL VERDICT FORM

v.

TempWorks Management Services, Inc.,
individually and d/b/a TMS Staffing, David Dourgarian
Mari Kautzman, and Doug Greene,

Defendants.

We the jury in the above-entitled action, find the following answers to the following questions:

Fraud

1. Did TempWorks Management Services falsely represent a past or present material fact to Staffing Specifix?

Yes _____ or No _____

2. *If your answer to Question 1 was "Yes," then answer this question:* At the time the false representation was made, did TempWorks Management Services know the representation was false?

Yes _____ or No _____

3. *If your answer to Question 2 was "No," then answer this question:* Did TempWorks Management Services represent that it knew about this fact when it did not know if it was true or false?

Yes _____ or No _____

4. *If your answer to either Question 2 or 3 was "Yes," then answer this question:* Did TempWorks Management Services intend that Staffing Specifix would rely on the false representations?

Yes _____ or No _____

5. *If your answer to Question 4 was "Yes," then answer this question: Did Staffing Specifix rely on the false representation?*

Yes _____ or No _____

6. *If your answer to Question 5 was "Yes," then answer this question: Was Staffing Specifix justified in relying on the false representation?*

Yes _____ or No _____

7. *If your answer to Question 6 was "Yes," then answer this question: Was Staffing Specifix harmed as a direct result of relying on the false representation?*

Yes _____ or No _____

8. *If your answer to Question 7 was "Yes," then answer this question: What amount of money will fairly and adequately compensate Staffing Specifix for the damages it experienced as a direct result of relying on the false representations?*

\$ _____

Breach of Contract

1. Was there a contract between Staffing Specifix and TempWorks Management Services?

Yes or No _____

2. *If your answer to Question 1 was "Yes," then answer this question: Did TempWorks Management Services breach its contract with Staffing Specifix?*

Yes or No _____

3. *If your answer to Question 2 was "Yes," then answer this question: Did TempWorks Management Services' breach of the contract directly cause damage to Staffing Specifix?*

Yes or No _____

4. *If your answer to Question 3 was "Yes," then answer this question: Did Staffing Specifix waive any breach of contract?*

Yes _____ or No

- 5. *If your answer to Question 4 was "No," then answer this question:* What amount of money will fairly and adequately compensate Staffing Specifix for the damages directly caused by the breach of the contract?

\$ 451,732.77

Defamation claim against David Dourgarian

- 1. Did Defendant David Dourgarian make statements regarding Staffing Specifix's business, trade or profession?
Yes or No
- 2. *If your answer to Question 1 was "Yes," then answer this question:* Were the statements regarding Staffing Specifix's business, trade or profession false?
Yes or No
- 3. *If your answer to Question 2 was "Yes," then answer this question:* Were the statements regarding Staffing Specifix's business, trade or profession communicated to a third party?
Yes or No
- 4. *If your answer to Question 3 was "Yes," then answer this question:* Were the statements regarding Staffing Specifix's business, trade or profession the type that tend to injure its credit, property, or business?
Yes or No

Defamation claim against Mari Kautzman

- 1. Did Defendant Mari Kautzman make statements regarding Staffing Specifix's business, trade or profession?
Yes or No
- 2. *If your answer to Question 1 was "Yes," then answer this question:* Were the statements regarding Staffing Specifix's business, trade or profession false?
Yes or No

3. *If your answer to Question 2 was "Yes," then answer this question:* Were the statements regarding Staffing Specifix's business, trade or profession communicated to a third party?

Yes _____ or No

4. *If your answer to Question 3 was "Yes," then answer this question:* Were the statements regarding Staffing Specifix's business, trade or profession the type that tend to injure its credit, property, or business?

Yes _____ or No _____

Defamation claim against Doug Greene

1. Did Defendant Doug Greene make statements regarding Staffing Specifix's business, trade or profession?

Yes or No _____

2. *If your answer to Question 1 was "Yes," then answer this question:* Were the statements regarding Staffing Specifix's business, trade or profession false?

Yes or No _____

3. *If your answer to Question 2 was "Yes," then answer this question:* Were the statements regarding Staffing Specifix's business, trade or profession communicated to a third party?

Yes _____ or No

4. *If your answer to Question 3 was "Yes," then answer this question:* Were the statements regarding Staffing Specifix's business, trade or profession the type that tend to injure its credit, property, or business?

Yes _____ or No _____

Defamation claim against TempWorks Management

1. Did Defendant TempWorks Management Services make statements regarding Staffing Specifix's business, trade or profession?

Yes or No _____

2. *If your answer to Question 1 was "Yes," then answer this question:* Were the statements regarding Staffing Specifix's business, trade or profession false?

Yes or No _____

3. *If your answer to Question 2 was "Yes," then answer this question:* Were the statements regarding Staffing Specifix's business, trade or profession communicated to a third party?

Yes or No

4. *If your answer to Question 3 was "Yes," then answer this question:* Were the statements regarding Staffing Specifix's business, trade or profession the type that tend to injure its credit, property or business?

Yes or No

Defamation damages

1. *If you answered "Yes" to any of the above Questions 4 relating to the defamation claims against David Dourgarian, Mari Kautzman, Doug Greene, or TempWorks Management Services, then answer this question:* What amount of money will fairly and adequately compensate Staffing Specifix for Defendants' defamation:

\$ 30,000

Of that amount, what amount do you attribute to:

David Dourgarian \$30,000.00

Mari Kautzman \$0.00

Doug Greene \$0.00

Qualified Privilege

1. Were the statements made by David Dourgarian made upon a proper occasion, from a proper motive, and based upon reasonable or probable cause?

Yes or No

2. Were the statements made by David Dourgarian made with actual malice?

Yes or No

3. Were the statements made by Mari Kautzman made upon a proper occasion, from a proper motive, and based upon reasonable or probable cause?

Yes or No

4. Were the statements made by Mari Kautzman made with actual malice?

Yes or No

5. Were the statements made by Doug Greene made upon a proper occasion, from a proper motive, and based upon reasonable or probable cause?

Yes or No

6. Were the statements made by Doug Greene made with actual malice?

Yes or No

7. Were the statements made by TempWorks Management Services made upon a proper occasion, from a proper motive, and based upon reasonable or probable cause?

Yes or No

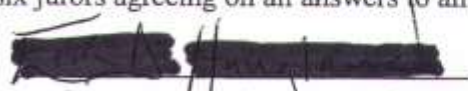






8. Were the statements made by TempWorks Management Services made with actual malice?

Yes or No

Dated this 25 day of November, 2015.

 
Foreperson 11/2

If the verdict is not unanimous, then those six jurors agreeing on all answers to all interrogatories should sign below.

This special verdict was signed at 12:15 o'clock p.m.