

1 Company's percentage of fault, 78 percent.

2 What are Isabelle Norton's damages?  
3 Economic damages, \$8 million; noneconomic damages,  
4 \$4,250,000.

5 Are there any challenges or objections  
6 to the legal sufficiency of the verdict? Mr. Corson?

7 MR. CORSON: No, Your Honor.

8 THE COURT: Mr. Eden?

9 MR. EDEN: We'd request the jury be  
10 polled, Your Honor.

11 THE COURT: Mr. Crawford?

12 MR. CRAWFORD: We would also request  
13 the jury be polled, Your Honor.

14 THE COURT: Ladies and gentlemen, I'm  
15 going to poll you now, and what I'm asking you to do  
16 is this. If this verdict is your verdict, that is to  
17 say if you answered the question the way it is  
18 answered in the verdict form as to each and every one  
19 of these questions, I'm going to ask you to raise  
20 your hand so that I can determine that there are in  
21 fact nine for each answer and that those same nine  
22 apply to each answer, at least those same nine apply.  
23 Okay?

24 Was Kirk Norton negligent in one or  
25 more of the ways alleged by Plaintiff or Deere &

1 Company? The answer is yes. If that is your  
2 verdict, please raise your hand. I show 11.

3 If that's not your verdict, please  
4 raise your hand. I show one.

5 Question 2: Was Kirk Norton's  
6 negligence a cause of harm to Isabelle Norton? The  
7 answer is yes. If that was your verdict, please  
8 raise your hand. I show the same 11, and presumably  
9 the same one.

10 Question 3: Was the Deere Model  
11 L120-D in a defective condition reasonably dangerous  
12 to the ultimate consumer in at least one of the ways  
13 alleged by Plaintiff or Kirk Norton? The answer is  
14 yes. If that was your verdict, please raise your  
15 hand. I show 12.

16 3A, the model design prevented the  
17 ordinary user from fully perceiving, assessing, and  
18 avoiding the danger to children from driving the  
19 Model L120-D in reverse with the blades operating.  
20 If that was your verdict, please raise your hand. I  
21 show ten. If your answer was no to that, you didn't  
22 want to check that question, raise your hand.

23 Second question is B: The placement  
24 of a button on the front dash allowing the blades to  
25 rotate while operating the model in reverse prevents

1 the operator from perceiving the visibility problems  
2 to the rear because the operator does not have to  
3 turn around to press the button. If you agreed to  
4 check that box, please raise your hand. I show 12.

5 C: The Model L120-D needed to be  
6 accompanied by warnings and instructions by the  
7 danger claimed by Plaintiff or Kirk Norton and the  
8 warnings and instructions that did accompany the  
9 model were inadequate. Please raise your hand if you  
10 voted to check that box. I show ten. And I'm going  
11 to indicate for the record that the other two which I  
12 presume are the two on the end are the same two that  
13 checked A -- I'm sorry -- are the same two that did  
14 not check A.

15 4: Was one or more of the defective  
16 and reasonably dangerous conditions of the Model  
17 L120-D a cause of harm to Isabelle Norton? Answer:  
18 Yes. If that was your verdict, please raise your  
19 hand. I show 12.

20 Question 5: What percentage of fault  
21 do you attribute to Kirk Norton and Deere & Company?  
22 Kirk Norton, 22 percent; Deere & Company, 78 percent.  
23 If that was your verdict, please raise your hand. If  
24 that was not your verdict, please raise your hand. I  
25 show three. If your answer to Deere & Company's

1 percentage of fault was 78 percent, raise your hand.  
2 I show nine. If it was not your answer, please raise  
3 your hand. I show three. The same three that I just  
4 indicated on the 22 percent answered 78 percent.

5 Question 6: What are Isabelle  
6 Norton's damages? Economic damages, \$8 million; and  
7 noneconomic damages, \$4,250,000. If that was your  
8 verdict, please raise your hand. I show 11. If that  
9 was not your verdict -- I show one.

10 I'm going to pause for a minute and  
11 let the lawyers count and recount in their head, but  
12 I think that's a lawful verdict as I've got 11 to  
13 one, 11 to one, 12 to zero, ten to two, 12 to zero,  
14 ten to two. Mr. Seaborne (phonetic) is the only one  
15 who goes out of that list on occasional questions. I  
16 think that leaves nine for every question, at least  
17 the same nine for every question.

18 Does anyone wish to be heard on that  
19 count? Mr. Corson?

20 MR. CORSON: We accept the verdict.

21 THE COURT: Mr. Eden?

22 MR. EDEN: No, Your Honor. Thank you.

23 THE COURT: Mr. Crawford?

24 MR. CRAWFORD: Thank you, Your Honor.

25 THE COURT: The Court receives the

1 verdict.

2 Ladies and gentlemen, this has been a  
3 long and difficult case. I wish to express my thanks  
4 for your attention to it and your hard work in this  
5 case. I know the parties join me in that regard.  
6 What I'd like you to do now, if you would please, is  
7 one last time go back to the jury room. I'm going to  
8 come back and talk to you in just a few minutes.

9 Mr. Corson, you will prepare the  
10 judgment. Anything further from the plaintiff for  
11 the record?

12 MR. CORSON: No, Your Honor.

13 THE COURT: Mr. Eden for Defendant  
14 Deere?

15 MR. EDEN: No, Your Honor. Thank you.

16 THE COURT: Mr. Crawford?

17 MR. CRAWFORD: Nothing else, Your  
18 Honor. Thank you.

19 THE COURT: Court's in recess.

20 (The proceedings were concluded at  
21 3:06 P.M.)

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