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

IN RE: Bard Implanted Port Catheter
Products Liability Litigation

Robert Cook,

Individual Plaintiff,

v.

Becton Dickinson and Company, et al.,

Defendants.

MD-23-3081-PHX-DGC

No. CV-23-01975-PHX-DGC

VERDICT

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA

Robert Cook,
Individual Plaintiff,
v.
Becton Dickinson and Company, et al.,
Defendants.

No. CV-23-01975-PHX-DGC

VERDICT

PREFATORY NOTE TO JURY

In rendering your verdict, it is important that you consider all of the instructions given by the Court. To assist you in answering the questions below, certain instructions that apply to specific claims or defenses are identified. You should consider these instructions, and all the other instructions the Court has given you, in reaching your verdict. This verdict form, and the instructions identified, are not intended to suggest what your verdict should be. That is a matter for you to decide based on the facts as you find them and all the instructions given by the Court.

We the jury, duly paneled and sworn in the above entitled action, upon our oaths, find as follows:

I. LIABILITY

A. Design Defect Claim

Along with all the instructions, please consider Instructions Nos. 16, 20, and 21 in answering Question 1.

1 1. Do you find by a preponderance of the evidence that Defendants are liable to
2 Plaintiff on the design defect claim?

3
4 _____ Yes _____ No

5
6 **B. Failure to Warn or Instruct Claim**

7 *Along with all the instructions, please consider Instructions Nos. 17, 20, and 21 in*
8 *answering Question 2.*

9
10 2. Do you find by a preponderance of the evidence that Defendants are liable to
11 Plaintiff on the failure to warn or instruct claim?

12
13 _____ Yes X No

14
15 *If you found Defendants liable on either of the two claims set forth above, please*
16 *answer Questions 3, 4, and 5 regarding Defendants' comparative fault defense and then*
17 *proceed to Question 6. If you did not find Defendants liable on either of the claims set*
18 *forth above, please skip Questions 3, 4, and 5 and proceed to Question 6.*

19
20 **C. Comparative Fault**

21 *Along with all the instructions, please consider Instruction No. 22 in answering*
22 *Questions 3, 4, and 5.*

23
24 3. Do you find by a preponderance of the evidence that Ms. Oglesbee was at
25 fault in part for Plaintiff's injuries?

26 _____ Yes _____ No

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4. Do you find by a preponderance of the evidence that Ms. Potter was at fault in part for Plaintiff's injuries?

Yes No

5. If you answered "No" to both Question 3 and Question 4, please proceed to Question 6. If you answered "Yes" to either Question 3 or Question 4, please provide below the percentage of fault, if any, you attribute to Defendants, Ms. Oglesbee, and Ms. Potter. If you find no fault, then you should place "0" by that name. Your total must equal 100%.

Defendants	<input type="checkbox"/>	%
Ms. Oglesbee	<input type="checkbox"/>	%
Ms. Potter	<input type="checkbox"/>	%
		100%

D. Consumer Fraud Claim

Along with all the instructions, please consider Instruction Nos. 18 and 20 in answering Question 6.

6. Do you find by a preponderance of the evidence that Defendants are liable to Plaintiff on the consumer fraud claim?

Yes No

E. Unlawful Trade Practices Claim

Along with all the instructions, please consider Instruction Nos. 19 and 20 in answering Question 7.

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7. Do you find by a preponderance of the evidence that Defendants are liable to Plaintiff on the unlawful trade practices claim?

_____ Yes _____ No

II. DAMAGES

If you found Defendants liable on any of the four claims set forth above (Questions 1, 2, 6, or 7), please answer Question 8 regarding damages. You should not reduce the amount of any damages you award to Plaintiff based on any percentages of fault you may have attributed to Ms. Oglesbee or Ms. Potter in Question 5. The Court will do the reduction of damages, if necessary.

Along with all the instructions, please consider Instruction Nos. 23 and 24 in answering Question 8.

8. What amount of damages do you find will fairly and adequately compensate Plaintiff for his injuries?

\$ _____

1
Presiding Juror Number

05/08/2026
Date