

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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INTELLIGENT DIGITAL SYSTEMS, LLC,
RUSS & RUSS PC DEFINED BENEFIT PENSION
PLAN, and JAY EDMOND RUSS, all individually
and as assignees of Jack Jacobs, Robert Moe,
Michael Ryan, Martin McFeely and Jason Gonzalez,

VERDICT SHEET

12-CV-1209 (ADS)

Plaintiffs,

-against-

BEAZLEY INSURANCE COMPANY, INC.,

Defendant.

FILED
IN CLERK'S OFFICE
U.S. DISTRICT COURT E.D.N.Y.

★ **SEP 21 2016** ★

LONG ISLAND OFFICE
-----X

SPATT, District Judge.

According to the principles of law as charged by the Court and the facts as you find them, please answer the following questions:

1. Did the defendant prove, by a preponderance of the evidence, that Jay Edmond Russ was ever a "duly elected or appointed" Director of Visual Management Systems, Inc., so that he was an insured under the policy of insurance issued by Beazley Insurance Company, Inc., to VMS?

Yes

No

If your answer to question 1 is "YES", then do not answer question 2 below. You have found a verdict in favor of the defendant Beazley Insurance Company, Inc. In that event, the foreperson should sign and date the verdict sheet and advise the Court by note that you have reached a verdict and are ready to return to the courtroom to announce your verdict.

If your answer to question 1 is "NO", please proceed to answer question 2.

2. Did the defendant prove, by a preponderance of the evidence, that the defendant Beazley Insurance Company, Inc., reasonably relied upon the representations of fact made by the insured policyholder VMS to the defendant Beazley Insurance Company, Inc., that Jay Edmond Russ was a duly elected or appointed Director of Visual Management Systems, Inc.


Yes _____

No _____

If your answer to question 2 is "YES", you have found a verdict in favor of the defendant Beazley Insurance Company, Inc. In that event, the foreperson should sign and date the verdict sheet and advise the Court by note that you have reached a verdict and are ready to return to the courtroom to announce your verdict.

If your answer to question 2 is "NO", you have found a verdict in favor of the plaintiffs. In that event, the foreperson should sign and date the verdict sheet and advise the Court by note that you have reached a verdict and are ready to return to the courtroom to announce your verdict.

Dated: Central Islip, New York
September 21st, 2016


FOREPERSON
ANTONETTE WINSLOW