

APR 21 2023

David W. Slayton, Executive Officer/Clerk of Court
By: T. Wu, Deputy

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**SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF LOS ANGELES, NORTH CENTRAL DISTRICT**

JUSTINE HSU, an individual,

Plaintiff,

v.

TESLA, INC. fka TESLA MOTORS, INC.;
DOES 1 through 100, Inclusive,

Defendants.

Case No. 20STCV18473

Assigned for All Purposes to:
Hon. David A. Rosen, Dept. E

SPECIAL VERDICT FORM

1. Is the 2016 Model S Autopilot feature one about which an ordinary consumer can form reasonable safety expectations?

Yes No

If your answer to Question 1 is "yes," proceed to Question 2. If you answered "no" then skip to Question 4.

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04/21/23

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2. Did the 2016 Model S's Autopilot feature fail to perform as safely as an ordinary consumer would expect when used in an intended or misused in a reasonably foreseeable manner?

Yes No

If your answer to Question 2 is "yes," proceed to Question 3. If you answered "no" then skip to Question 4.

3. Was such failure of the 2016 Model S's Autopilot feature to perform as safely as an ordinary consumer would expect a substantial factor in causing harm to Ms. Hsu?

Yes No

Regardless of your answers to Questions 1, 2, or 3, answer Question 4.

4. Is the 2016 Model S airbag system one about which an ordinary consumer can form reasonable safety expectations?

Yes No

If your answer to Question 4 is "yes," proceed to Question 5. If you answered "no" to this Question and also answered "no" to Question 1, 2 or 3, then go to Question 18 and enter "\$0.00" on Lines a and b. Then go to Question 9 and do not answer Questions 5 through 8.

5. Did the 2016 Model S's airbag system fail to perform as safely as an ordinary consumer would expect when used in an intended or misused in a reasonably foreseeable manner?

Yes No

If your answer to Question 5 is "yes," proceed to Question 6. If you answered "no" to this Question and also answered "no" to Question 1, 2 or 3, then go to Question 18 and enter "\$0.00" on Lines a and b. Then go to Question 9 and do not answer Questions 6 through 8.

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04/21/2017

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6. Was such failure of the 2016 Model S's airbag system to perform as safely as an ordinary consumer would expect a substantial factor in causing harm to Ms. Hsu?
_____ Yes _____ No

If you answered "no" to Question 1, 2, or 3, and answered "no" to Question 6, then go to Question 18 and enter "\$0.00" on Lines a and b. Then go to Question 9 and do not answer Questions 7 or 8.

If you answered "yes" to either Question 3 or 6, then answer Question 7.

7. Was Justine Hsu negligent?
_____ Yes _____ No

If your answer to Question 7 is "yes," answer Question 8.

If your answer to Question 7 is "no," go to Question 18 and enter on Lines a and b the amount of Ms. Hsu's damages, if any, for Products Liability. Then go to Question 9 and do not answer Question 8.

8. What percentage of responsibility for Ms. Hsu's damages, if any, for Products Liability do you assign to:

Tesla: _____ %
Ms. Hsu: _____ %

Go to Question 18 and enter on Lines a and b the amount of Ms. Hsu's damages, if any for Products Liability. Then go to Question 9.

Do not reduce the damages based on the fault, if any, of Ms. Hsu. The Court will make any adjustments in this regard.

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04/21/20

1 9. Did Tesla make a false statement of fact to Ms. Hsu?

2 _____ Yes No

3 *If your answer to Question 9 is "yes," proceed to Question 10.*

4 *If your answer to Question 9 is "no," go to Question 18, enter "\$0.00" on Lines c and d.*

5 *Then go to Question 14 and do not answer Questions 10-13.*

6

7 10. Did Tesla know that the representation was false, or did it make the representation
8 recklessly and without regard for its truth?

9 _____ Yes _____ No

10 *If your answer to Question 10 is "yes," proceed to Question 11.*

11 *If your answer to Question 10 is "no," go to Question 18, enter "\$0.00" on Lines c and d.*

12 *Then go to Question 14 and do not answer Questions 11-13.*

13

14 11. Did Tesla intend that Ms. Hsu rely on the representation?

15 _____ Yes _____ No

16 *If your answer to Question 11 is "yes," proceed to Question 12.*

17 *If your answer to Question 11 is "no," go to Question 18, enter "\$0.00" on Lines c and d.*

18 *Then go to Question 14 and do not answer Questions 12 and 13.*

19

20 12. Did Ms. Hsu reasonably rely on the representation?

21 _____ Yes _____ No

22 *If your answer to Question 12 is "yes," proceed to Question 13.*

23 *If your answer to Question 12 is "no," go to Question 18, enter "\$0.00" on Lines c and d.*

24 *Then go to Question 14 and do not answer Questions 13.*

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1 13. Was Ms. Hsu's reliance on Tesla's representation a substantial factor in causing
2 harm to Ms. Hsu?

3 _____ Yes _____ No

4 *If your answer to Question 13 is "yes," go to Question 18 and enter on Lines c and d the*
5 *amount of Ms. Hsu's damages, if any, for Intentional Misrepresentation. Then go to Question 14.*

6 *If your answer to Question 13 is "no," go to Question 18 and enter "\$0.00" on Lines c*
7 *and d. Then go to Question 14.*

8
9 14. Did Tesla intentionally fail to disclose a fact that Ms. Hsu did not know and could not
10 reasonably have discovered?

11 _____ Yes No

12 *If your answer to Question 14 is "yes," proceed to Question 15.*

13 *If your answer to Question 14 is "no", go to Question 18, enter "\$0.00" on Lines e and f,*
14 *and then have the presiding juror sign and date this form. Do not answer any further Questions.*

15
16 15. Did Tesla intend to deceive Ms. Hsu by concealing the fact?

17 _____ Yes _____ No

18 *If your answer to Question 15 is "yes," proceed to Question 16.*

19 *If your answer to Question 15 is "no," go to Question 18, enter "\$0.00" on Lines e and f,*
20 *and then have the presiding juror sign and date this form. Do not answer any further Questions.*

21
22 16. Had the omitted information been disclosed, would Ms. Hsu reasonably have
23 behaved differently?

24 _____ Yes _____ No

25 *If your answer to Question 16 is "yes," proceed to Question 17.*

26 *If your answer to Question 16 is "no," go to Question 18, enter "\$0.00" on Lines e and f,*
27 *and then have the presiding juror sign and date this form. Do not answer any further Questions.*

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03/13/2020

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17. Was Tesla's concealment a substantial factor in causing harm to Ms. Hsu?

_____ Yes _____ No

If your answer to Question 17 is "yes," proceed to Question 18 and on Lines e and f the amount of Ms. Hsu's damages, if any, for Fraudulent Concealment.

If your answer to Question 17 is "no," go to Question 18 and enter "\$0.00" on Lines e and f. Then have the presiding juror sign and date this form.

18. What are Ms. Hsu's damages?

Product Liability:

(a) Past non-economic damages: \$ 0.00

(b) Future non-economic damages: \$ 0.00

Intentional Misrepresentation?

(c) Past non-economic damages: \$ 0.00

(d) Future non-economic damages: \$ 0.00

Fraudulent Concealment?

(e) Past non-economic damages: \$ 0.00

(f) Future non-economic damages: \$ 0.00

Signed: *Olivia Appsher*
Presiding Juror

Dated: 4/21/2023

After this verdict form has been signed, notify the clerk that you are ready to present your verdict in the courtroom.

04/21/2023