

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
CHARLESTON DIVISION

Yamaha Cycle Center, Inc. d/b/a Yamaha-Suzuki)
Sea-Doo of Charleston, Inc., and Ronald Brooks,)
)
 Plaintiffs,)
)
 vs.)
)
 Yamaha Motor Corporation, U.S.A.,)
)
 Defendant.)
 _____)

C/A No. 2:01-574-18

VERDICT

FILED
JUL 29 2002
LARRY W. PROPPES, CLERK
CHARLESTON, SC

WE, THE JURY, FIND AS FOLLOWS:

(1) Did Plaintiff prove, by a preponderance of the evidence, that Defendant violated the Motorcycle Manufacturers, Distributors, Dealers and Wholesalers Act?

YES _____ NO ✓

If you answered YES to Question Number 1, then go to Question Number 2. If you answered NO to Question Number 1, then go to Question Number 3.

(2) Did plaintiff prove, by clear and convincing evidence, that Defendant's violation of the Motorcycle Manufacturers, Distributors, Dealers and Wholesalers Act was committed maliciously?

YES _____ NO _____

(3) Did Plaintiff prove, by a preponderance of the evidence, that Defendant violated the South Carolina Unfair Trade Practices Act?

YES ✓ _____ NO _____

If you answered YES to Question Number 3, then go to Question Number 4. If you answered

NO to Question Number 3 and YES to Question Number 1, then go to question number 5. If you answered NO to Question Number 1 and NO to Question Number 3, please sign and date the verdict form.

(4) Did Plaintiff prove that Defendant's violation of the South Carolina Unfair Trade Practices Act was committed willfully or knowingly?

YES NO

(5) What is the total amount of actual damages to which Plaintiff is entitled as a result of its claims against Defendant?

ONE HUNDRED THOUSAND AND 00/100 Dollars

If you answered YES to Questions Number 1 and 2, please answer Question Number 6. If you answered NO to either Question Number 1 or Question Number 2, please sign and date the verdict form.

(6) What is the total amount of punitive damages to which to which Plaintiff is entitled as a result of Defendant's malicious violation of the Motorcycle Manufacturers, Distributors, Dealers and Wholesalers Act?

_____ Dollars

PLEASE SIGN AND DATE THE VERDICT FORM.

Monday, July 29, 2002
DATE
3:15 P.M.

Walter M. Boag
FOREPERSON