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SUPERIOR COURT OF THE STATE OF CALIFORNIA  
IN AND FOR THE COUNTY OF KINGS  
HONORABLE JAMES LAPORTE, JUDGE  
DEPARTMENT 8

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PEDRO AGUILAR, )  
 )  
 ) Petitioner, ) No.  
 )  
 ) vs. )  
 )  
 ) HARRY SOUTHWARD, )  
 ) JURY TRIAL EXCERPT:  
 ) **VERDICT**  
 )  
 ) Defendant. )

-----  
(C.S.R. #13070)

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Hanford, California November 30, 2016

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BE IT REMEMBERED THAT, the above-entitled matter  
came on regularly for hearing in the Superior Court of the  
State of California, in and for the County of Kings, before  
HONORABLE JAMES LAPORTE, Judge, on the 30th day of November,  
2016.

PEDRO AGUILAR, petitioner, was personally present in  
court represented by counsel MISS SIOSON, Esq., and  
MISS BAUGH, Esq.

HARRY SOUTHWARD, defendant, was personally present  
in court represented by counsel MRS. YATES, Esq., and  
MR. CARTER, Esq, who appeared telephonically via court call.

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The following is an excerpt of the verdict only.

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WHEREUPON, the following proceedings were had, to  
wit:

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THE COURT: All right. We'll ask the clerk to read  
the verdict. And then remember at the end there may be a  
request for polling so you have to remember how you voted on  
each one of the questions.

THE CLERK: Superior court of the State of  
California for the County of Kings, Pedro Aguilar, plaintiff,  
versus Harry Southward and Does 1 through 20, defendant, case  
number 15C-0022, special verdict, date November 21st, 2016:  
We the jury in the above entitled action answer the questions  
submitted to us as follows:

Number one, was Harry Southward negligent? Yes.

If your answer to question one is yes then answer  
question two.

Number two, was Harry Southward's negligence a  
substantial factor in causing the harm to Pedro Aguilar?  
Yes.

If your answer to question two is yes then answer  
question three.

Number three, what are Pedro Aguilar's total

1 damages? Do not reduce the damages based on the fault, if  
2 any, of Pedro Aguilar.

3 A. Passed economic loss in medical expenses:  
4 \$17,135.69.

5 B. Future economic loss in medical expenses:  
6 \$51,307.26.

7 C. Passed none economic loss, including  
8 physical pain, mental suffering: \$69,300.00.

9 D. Future none economic loss including  
10 physical pain, mental suffering: \$438,000.00.

11 For a total of \$575,742.95.

12 If Pedro Aguilar has proved damages then answer  
13 four. If Pedro Aguilar has not proved any damages then stop  
14 here, answer no further questions and have the presiding  
15 juror sign and date the form.

16 Number four, if you determine Pedro Aguilar will  
17 incur future medical expenses please circle the amount of  
18 years, from today's date, in which Pedro Aguilar will incur  
19 those medical expenses. If you determine Pedro Aguilar will  
20 not have future -- "twenty years" was circled.

21 Number five, was Pedro Aguilar negligent? Yes.

22 If your answer to question is five is yes then  
23 answer question number six.

24 Number six, was Pedro Aguilar's negligence a  
25 substantial factor in causing his harm? Yes.

1           If your answer to question six is yes then answer  
2 question number seven.

3           Number seven, what percentage of responsibility for  
4 Pedro Aguilar's harm do you assign to Harry Southward? Sixty  
5 percent. Pedro Aguilar? Forty percent. For a total of one  
6 hundred percent."

7           Dated 11/30/2016. Signed jury foreperson number  
8 304005, seated in chair number five.

9           THE COURT: And again, Mr. Foreperson, that's your  
10 signature?

11          A JUROR: Yes.

12          THE COURT: Members of the jury, is the verdict as  
13 read your verdict?

14          THE JURY: Yes.

15          THE COURT: Request for polling?

16          MRS. YATES: Yes, please.

17          MISS SIOSON: Yes, your Honor.

18          THE COURT: Okay. You want them polled as to each  
19 question or specific questions?

20          MRS. YATES: Yes, please, with each question.

21          THE COURT: All right.

22          THE CLERK: Juror number one, question number one:  
23 Was Harry Southward negligent? Is this your verdict, juror  
24 number one?

25          THE JUROR: Yes.

1 THE CLERK: Juror number two?  
2 THE JUROR: Yes.  
3 THE CLERK: Juror number three?  
4 THE JUROR: Yes.  
5 THE CLERK: Juror number four?  
6 THE JUROR: Yes.  
7 THE CLERK: Juror number five?  
8 THE JUROR: Yes.  
9 THE CLERK: Juror number six?  
10 THE JUROR: Yes.  
11 THE CLERK: Juror number seven?  
12 THE JUROR: Yes.  
13 THE CLERK: Juror number eight?  
14 THE JUROR: Yes.  
15 THE CLERK: Juror number nine?  
16 THE JUROR: Yes.  
17 THE CLERK: Juror number ten?  
18 THE JUROR: Yes.  
19 THE CLERK: Juror number 11?  
20 THE JUROR: Yes.  
21 THE CLERK: Juror number 12?  
22 THE JUROR: Yes.  
23 THE CLERK: Question number two: Was Harry  
24 Southward's negligence a substantial factor in causing the  
25 harm to Pedro Aguilar? Is this your verdict, juror number

1 one?

2 THE JUROR: Yes.

3 THE CLERK: Juror number two?

4 THE JUROR: Yes.

5 THE CLERK: Juror number three?

6 THE JUROR: Yes.

7 THE CLERK: Juror number four?

8 THE JUROR: Yes.

9 THE CLERK: Juror number five?

10 THE JUROR: Yes.

11 THE CLERK: Juror number six?

12 THE JUROR: Yes.

13 THE CLERK: Juror number seven?

14 THE JUROR: Yes.

15 THE CLERK: Juror number eight?

16 THE JUROR: Yes.

17 THE CLERK: Juror number nine?

18 THE JUROR: Yes.

19 THE CLERK: Juror number ten?

20 THE JUROR: Yes.

21 THE CLERK: Juror number 11?

22 THE JUROR: Yes.

23 THE CLERK: Juror number 12?

24 THE JUROR: Yes.

25 THE COURT: Just a minute.

1           Can we read all of the damages at once or do you  
2 want them individually?

3           MRS. YATES: That's fine, all the damages at once.

4           THE COURT: Okay.

5           THE CLERK: What are Pedro Aguilar's total damages?

6           A. \$17,135.69; B. \$51,307.26; C. \$69,300.00; D.

7 \$438,000.00.

8           Juror number one, is this your true and correct  
9 verdict?

10          THE JUROR: Yes.

11          THE CLERK: Juror number two?

12          THE JUROR: Yes.

13          THE CLERK: Juror number three?

14          THE JUROR: Yes.

15          THE CLERK: Juror number four?

16          THE JUROR: Yes.

17          THE CLERK: Juror number five?

18          THE JUROR: Yes.

19          THE CLERK: Juror number six?

20          THE JUROR: Yes.

21          THE CLERK: Juror number seven?

22          THE JUROR: Yes.

23          THE CLERK: Juror number eight?

24          THE JUROR: Yes.

25          THE CLERK: Juror number nine?

1 THE JUROR: Yes.

2 THE CLERK: Juror number ten?

3 THE JUROR: Yes.

4 THE CLERK: Juror number 11?

5 THE JUROR: Yes.

6 THE CLERK: And juror number 12?

7 THE JUROR: Yes.

8 THE CLERK: Question number four: If you determine  
9 that Pedro Aguilar will incur future medical expenses circle  
10 the amount of years. Twenty years was marked.

11 Juror number one, is that your answer?

12 THE JUROR: Yes.

13 THE CLERK: Juror number two?

14 THE JUROR: Yes.

15 THE CLERK: Juror number three?

16 THE JUROR: Yes.

17 THE CLERK: Juror number four?

18 THE JUROR: Yes.

19 THE CLERK: Juror number five?

20 THE JUROR: Yes.

21 THE CLERK: Juror number six?

22 THE JUROR: Yes.

23 THE CLERK: Juror number seven?

24 THE JUROR: Yes.

25 THE CLERK: Juror number eight?



1 THE JUROR: Yes.

2 THE CLERK: Juror number nine?

3 THE JUROR: Yes.

4 THE CLERK: Juror number ten?

5 THE JUROR: Yes.

6 THE CLERK: Juror number 11?

7 THE JUROR: Yes.

8 THE CLERK: Juror number 12?

9 THE JUROR: Yes.

10 THE CLERK: Question number five: Was Pedro Aguilar  
11 negligent? Answer: Yes.

12 Is this your verdict, juror number one?

13 THE JUROR: Yes.

14 THE CLERK: Juror number two?

15 THE JUROR: Yes.

16 THE CLERK: Juror number three?

17 THE JUROR: Yes.

18 THE CLERK: Juror number four?

19 THE JUROR: Yes.

20 THE CLERK: Juror number five?

21 THE JUROR: Yes.

22 THE CLERK: Juror number six?

23 THE JUROR: Yes.

24 THE CLERK: Juror number seven?

25 THE JUROR: Yes.

1 THE CLERK: Juror number eight?  
2 THE JUROR: Yes.  
3 THE CLERK: Juror number nine?  
4 THE JUROR: Yes.  
5 THE CLERK: Juror number ten?  
6 THE JUROR: Yes.  
7 THE CLERK: Juror number 11?  
8 THE JUROR: Yes.  
9 THE CLERK: Juror number 12?  
10 THE JUROR: Yes.  
11 THE CLERK: Question number six: Was Pedro Aguilar's  
12 negligence a substantial factor in causing his harm? Marked:  
13 Yes.  
14 Is this your answer, juror number one?  
15 THE JUROR: Yes.  
16 THE CLERK: Juror number two?  
17 THE JUROR: Yes.  
18 THE CLERK: Juror number three?  
19 THE JUROR: Yes.  
20 THE CLERK: Juror number four?  
21 THE JUROR: Yes.  
22 THE CLERK: Juror number five?  
23 THE JUROR: Yes.  
24 THE CLERK: Juror number six?  
25 THE JUROR: Yes.

1 THE CLERK: Juror number seven?  
2 THE JUROR: Yes.  
3 THE CLERK: Juror number eight?  
4 THE JUROR: Yes.  
5 THE CLERK: Juror number nine?  
6 THE JUROR: Yes.  
7 THE CLERK: Juror number ten?  
8 THE JUROR: Yes.  
9 THE CLERK: Juror number 11?  
10 THE JUROR: Yes.  
11 THE CLERK: And juror number 12?  
12 THE JUROR: Yes.  
13 THE CLERK: Question number seven: What percentage  
14 of responsibility for Pedro Aguilar's harm do you assign to  
15 Harry Southward? That was sixty percent. Pedro Aguilar?  
16 That was forty percent. For a total of one hundred.  
17 Juror number one, is that your correct verdict?  
18 THE JUROR: Yes.  
19 THE CLERK: Juror number two?  
20 THE JUROR: Yes.  
21 THE CLERK: Juror number three?  
22 THE JUROR: No.  
23 THE CLERK: Juror number four?  
24 THE JUROR: Yes.  
25 THE CLERK: Juror number five?

1 THE JUROR: Yes.

2 THE CLERK: Juror number six?

3 THE JUROR: Yes.

4 THE CLERK: Juror number seven?

5 THE JUROR: Yes.

6 THE CLERK: Juror number eight?

7 THE JUROR: Yes.

8 THE CLERK: Juror number nine?

9 THE JUROR: Yes.

10 THE CLERK: Juror number ten?

11 THE JUROR: Yes.

12 THE CLERK: Juror number 11?

13 THE JUROR: Yes.

14 THE CLERK: And juror number 12?

15 THE JUROR: No.

16 THE COURT: All right. The Court would declare the  
17 verdict to be complete. I would direct the clerk to enter  
18 the verdict in the minutes.

19 Any issue before I release the jury?

20 MRS. YATES: No, your Honor.

21 MISS SIOSON: None, your Honor.

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I, RACHEL FERNANDEZ, a Certified Shorthand Reporter, DO HEREBY CERTIFY:

That the foregoing and annexed pages constitute a full, true, and correct transcript of the proceedings had and testimony given in the hearing of the matter entitled as upon the first page hereof.

Dated: September 25, 2017.

/s/ Rachel L. Fernandez, CSR

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Official Reporter Pro Tempore #13070