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FILED

2014 FEB -5 AM 8:42

CIRCUIT COURT
FOR MULTNOMAH COUNTY

ENTERED
FEB 20 2014
IN REGISTER CDR

IN THE CIRCUIT COURT OF THE STATE OF OREGON
IN AND FOR THE COUNTY OF MULTNOMAH

STEVEN SCHARFSTEIN, individually and on
behalf of all other similarly situated persons,

Plaintiffs,

vs.

BP WEST COAST PRODUCTS, LLC, a Delaware
limited liability company;

Defendant.

Case No. 1112-17046

**SUPPLEMENTAL VERDICT FORM
PUNITIVE DAMAGES**

SUPPLEMENTAL VERDICT FORM
PUNITIVE DAMAGES

We, the jury, find:

1. Have the plaintiff and the class proven the elements necessary to recover punitive damages?

ANSWER: Yes _____ No

If you answer yes, at least the same nine jurors who answered yes to questions 1 through 4 in the first phase of the trial must agree to your answer.

1 *If you answer no, at least nine jurors must agree on your answer. If you answer no,*
2 *stop here and do not answer any more questions, and the presiding juror should sign*
3 *and date the verdict.*

- 4 2. Should punitive damages be awarded against the defendant?

5 ANSWER: Yes _____ No _____
6

7 *If you answer yes, at least the same nine jurors who answered yes to question 1 on this*
8 *verdict form must agree to your answer.*

9 *If you answer no, at least nine jurors must agree on your answer. If you answer no,*
10 *stop here and do not answer any more questions, and the presiding juror should sign*
11 *and date the verdict.*

- 12 3. What amount of punitive damages should be awarded against the defendant?

13 ANSWER: _____
14

15 *At least the same nine jurors who previously answered yes to question 2 must agree on*
16 *your answer. If you award punitive damages, please proceed to question 4.*

17 *If you do not award punitive damages, stop here and do not answer any more*
18 *questions, and the presiding juror should sign and date the verdict.*

19 *At least the same nine jurors who agreed to award punitive damages must agree on the*
20 *following three questions.*

- 21 4. What are the total number of debit card gas transactions at ARCO stations and *ampm*
22 minimarkets in Oregon between January 1, 2011 and August 30, 2013?

23 _____
24 *Proceed to question 5.*

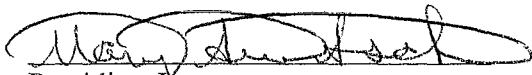
- 25 5. What are the actual damages caused to plaintiff and the class by defendant's violation of
26 the Unlawful Trade Practices Act?

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Proceed to question 6.

6. How many customers purchased gas with a debit card for the first time at ARCO stations and *ampm* minimarkets between January 1, 2011 and August 30, 2013?

DATED: 2/4/, 2014.


Presiding Juror

Mary Ann Aschenbrenner
Presiding Juror's Name (Print)