

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
SOUTHERN DIVISION
No. 7:16-CV-18-D

FREDRIC N. ESHELMAN,)
)
 Plaintiff,)
)
 v.)
)
 PUMA BIOTECHNOLOGY, INC.)
)
 Defendant .)

VERDICT FORM

We the jury unanimously answer the issues as follows:

ISSUE 1

1. When read in the context of the entire presentation, were defendant Puma Biotechnology, Inc.'s statements that plaintiff Fredric N. Eshelman was "replaced as CEO of PPD" after being "involved in clinical trial fraud" false?

ANSWER: Yes No

If you answered "No" to Issue 1, then the case is over. The foreperson should date and sign the verdict form.

If you answered "Yes" to Issue 1, then answer Issue 2.

ISSUE 2

2. Did defendant Puma Biotechnology, Inc. act with actual malice when it accused plaintiff Fredric N. Eshelman of being “replaced as CEO of PPD” after being “involved in clinical trial fraud”?

ANSWER: Yes No

If you answered “Yes” to Issues 1 and 2, answer Issue 3.

If you answered “No” to Issue 1 or Issue 2, then the case is over. The foreperson should date and sign the verdict form.

ISSUE 3

3. What amount of compensatory damages is plaintiff Fredric N. Eshelman entitled to recover from defendant Puma Biotechnology, Inc.?

\$ 15,050,000.

These are our unanimous answers. So say we all. This 15th day of March 2019.

REDACTED VERSION

Pursuant to the E-Government Act and the federal rules, the unredacted version of this document has been filed under seal. ✓

Signature of Foreperson

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 Plaintiff,)
)
 v.)
)
 PUMA BIOTECHNOLOGY, INC.)
)
 Defendant .)

VERDICT FORM

We the jury unanimously answer the issues as follows:

ISSUE 1

1. What amount of punitive damages, if any, does the jury in its discretion award to the plaintiff Fredric N. Eshelman?

\$ 6.5 million.

This is our unanimous answer. So say we all. This 15 day of March 2019.

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Signature of Foreperson