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FILED
San Diego Superior Court

MAY 20 2025
Clerk of the Superior Court
By: T. Crandall, Deputy

SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF SAN DIEGO, CENTRAL COURTHOUSE

MICHAEL LAPLANTE and MARISELA LAPLANTE,

Plaintiffs,

v.

GRIFFITH COMPANY and ANTELMO BERNARDO MARTINEZ,

Defendants.

Case No. 37-2022-00025757-CU-PA-CTL
(Lead Action)
[Consolidated with No. 37-2023-0003587 - CU-PA-CTL]

SPECIAL VERDICT FORM

We, the jury in the above entitled action, find the following special verdict on the questions submitted to us:

QUESTION NO. 1: Was Defendant Antelmo Bernardo Martinez negligent?

YES NO

QUESTION NO. 2: Was Defendant Antelmo Bernardo Martinez's negligence a substantial factor in causing harm to Plaintiff Michael LaPlante?

YES NO

QUESTION NO. 3: Was Defendant Griffith Company independently negligent?

YES NO

If you answered this question "yes," answer question 4. If you answered this question "no," answer question 5.

1 **QUESTION NO. 4:** Was Defendant Griffith Company's negligence a substantial factor in
2 causing harm to Plaintiff Michael LaPlante?

3 YES NO

4 Answer Question 5.

5 **QUESTION NO. 5:** Was Defendant Antelmo Martinez in the course and scope of his
6 employment with the Griffith Company at the time of the August 27, 2021 collision, based on any
of the questions below:

7 a. Was Mr. Martinez's drive to the Griffith jobsite at the express or implied request of
8 Griffith Company and was the commute extraordinary in relation to the employee's
routine duties?

9 YES NO

10
11 b. Was Mr. Martinez's drive to the Griffith Company jobsite reasonably related to the
12 kinds of tasks that he was employed to perform?

13 YES NO

14 c. Was Mr. Martinez's drive to the Griffith Company jobsite reasonably foreseeable in
15 light of Griffith Company's business or Mr. Martinez's job responsibilities?

16 YES NO

17 d. Did Griffith Company expressly or impliedly require Mr. Martinez to drive to and from
18 jobsites so that his vehicle was available for Griffith Company's business use?

19 YES NO

20 e. Did Griffith Company receive a direct or incidental benefit from Mr. Martinez driving
21 his personal vehicle to jobsites?

22 YES NO

23 **QUESTION NO. 6:** What are Plaintiff Michael LaPlante's damages?

24 A. Past medical expenses \$ 1,535,526.79 (stipulated)

25 B. Past property damage \$ 7,303.86 (stipulated)

26 C. Past lost earnings \$ 52,800.00 (stipulated)

27 D. Past loss of household services \$ 63,000

28 E. Future loss of household services \$ 279,000

1 F. Future medical expenses \$ 6,000,000
2 G. Future lost earnings or earning capacity \$ 540,000
3 H. Past non-economic loss, including pain, mental suffering, grief, disfigurement, loss of
4 enjoyment of life, physical impairment, inconvenience, anxiety, humiliation, and emotional
distress from August 27, 2021 to the present? \$ 8,000,000
5 I. Future non-economic loss, including pain, mental suffering, grief, disfigurement, loss of
6 enjoyment of life, physical impairment, inconvenience, anxiety, humiliation, and emotional
distress from today and forward? \$ 10,000,000
7

8 **QUESTION NO. 7:** What are Plaintiff Marisela LaPlante's damages?

9 A. Past non-economic loss, including loss of love, companionship, comfort, care,
10 assistance, protection, affection, society, moral support, and the loss of the enjoyment of sexual
relations from August 27, 2021 to the present? \$ 750,000
11 B. Future non-economic loss, including loss of love, companionship, comfort, care,
12 assistance, protection, affection, society, moral support, and the loss of the enjoyment of sexual
relations from today and forward? \$ 500,000
13

14 If you answered "yes" to questions 3 and 4, answer question 8.

15 **QUESTION NO. 8:** What percentage of responsibility for the plaintiffs' losses do you assign to
16 the following - the total must add up to 100%:

17 Griffith Company 80 %
18 Antelmo Martinez 20 %
19
20 TOTAL 100 %
21

22 DATED: May 20, 2025

23 
24 Presiding Juror

25 After the verdict form has been signed, please notify the bailiff.