

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
LAKE CHARLES DIVISION**

EAUX HOLDINGS L L C

CASE NO. 2:20-CV-01582

VERSUS

JUDGE JAMES D. CAIN, JR.

SCOTTSDALE INSURANCE CO

MAGISTRATE JUDGE KAY

VERDICT FORM

1. Do you find by a preponderance of the evidence that Scottsdale Insurance Company owes Eaux Holdings, LLC additional payments in excess of \$1,796,091 for property damage under the insurance policy for damages caused by Hurricane Laura?

YES

NO

If your answer is YES, go to Question 2; If NO, go to Question 3.

2. What additional amount do you find by a preponderance of the evidence, if any, does Scottsdale Insurance Company owe to Eaux Holdings, LLC for property damage caused by Hurricane Laura?

\$ 238,909.49

3. Do you find by a preponderance of the evidence, if any of the Scottsdale Insurance Company's payments to Eaux Holdings, LLC for property damage were made beyond thirty (30) days of Scottsdale receiving satisfactory proof of loss?

YES

NO

If your answer is YES, go to Question 4; if your answer is NO, sign and date the Verdict Form and return it to the Court Security Officer.

4. Do you find by a preponderance of the evidence, if Scottsdale's failure to pay within 30 days was arbitrary, capricious, or without probable cause?

YES

NO

If you answer YES to Questions 3 and 4, please answer Question 5; otherwise, please sign, date and return this Form to the Court Security Officer.

- 5. Which payments do you find by a preponderance of the evidence were not paid within thirty days of Scottsdale receiving satisfactory proof of loss, and that such failure was arbitrary, capricious, or without probable cause? If untimely and arbitrary, capricious, or without probable cause, answer YES; if timely, answer NO.

Date	Amount of Payment	(YES or NO)
11/23/2020	\$218,192.53	<u>yes</u>
01/08/2021	\$177,731.99	<u>yes</u>
03/17/2021	\$ 29,440.00	<u>yes</u>
05/18/2021	\$1,120,726.49	<u>yes</u>
Additional amount owed, as determined in Question 2,		<u>\$238,909.49</u> ^{10 Mar 22} <u>yes</u>

Jury Foreperson: Please sign and date this Verdict Form and return it to the Court Security Officer.

10 Mar 22
Date

Print Name _____