

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION

JUDGMENT IN A CIVIL CASE

MAXUS METROPOLITAN, LLC,)
)
 Plaintiff,)
)
 vs.) Case No. 20-00095-CV-W-FJG
)
 TRAVELERS PROPERTY CASUALTY)
 COMPANY OF AMERICA,)
)
 Defendant(s).)
)

X Jury Verdict. This action came before the Court for a trial by jury. The issues have been tried and the jury has rendered its verdict.

— Decision by Court. This action came before the Court. The issues have been determined and a decision has been rendered.

IT IS HEREBY ORDERED AND ADJUDGED that pursuant to the jury verdicts rendered on

August 3, 2023, the jury found as follows:

VERDICT FORM A:

On Plaintiff's breach of contract claim against defendant for direct physical loss or damage to the Metropolitan caused by the fire for which plaintiff has not been fully compensated, excluding any property damage caused by combustion byproducts, the jury found in favor of Plaintiff. In the amounts of:

- \$1,666,239.83 (rebuilding Phase 6 to its stage of construction at the time of the September 27, 2018 fire)
- \$126,000.00 (water damage in Phase 5)
- \$250,000.00 (water damage in Phases 1 through 4)
- \$3,868,772.88 (exterior damages to Phases 1 through 5)

VERDICT FORM B:

On Plaintiff's breach of contract claim against defendant for direct physical loss or damage to the Metropolitan in form of combustion byproducts caused by the September 27, 2018 fire, the jury finds in favor of Plaintiff. In the amount of:

- \$17,184,851.43

VERDICT FORM C:

On Plaintiff's breach of contract claim against defendant for business interruption to the Metropolitan caused by the September 27, 2018 fire, the jury found in favor of Plaintiff. In the amount of:

- \$4,234,399.00

VERDICT FORM D:

On the claim of plaintiff against defendant for vexatious refusal, the jury found in favor of Plaintiff.

- What is the amount of penalty to be awarded against defendant for the first \$1,500.00 (not including interest) = **20 percent**.
- What is the amount of penalty to be awarded against defendant on the remainder of such award (not including interest) = **2 percent**.
- Is Plaintiff entitled to an award of its reasonable attorney fees = **YES**

August 3, 2023
Date

Paige Wymore-Wynn
Clerk

Entered on: August 3, 2023

/s/ Christy Anderson
(By) Deputy Clerk