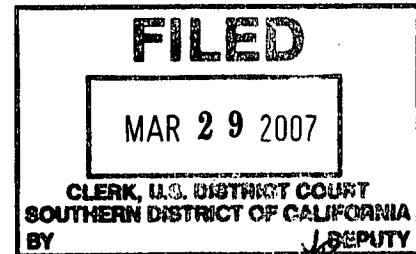


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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

ELDORADO STONE, LLC, a Delaware
limited liability company; ELDORADO
STONE OPERATIONS, LLC, a Utah limited
liability company,

Plaintiffs,

v.

RENAISSANCE STONE, INC., an Arizona
limited liability partnership; ALFONSO
ALVAREZ, an individual; JOSE GALVEZ
MARTINEZ, an individual; JOSEPH SMITH,
an individual; ROB HAGER, an individual;
ORCO CONSTRUCTION SUPPLY, a
California corporation,

Defendants.

RENAISSANCE STONE, INC., an Arizona
limited liability partnership; ALFONSO
ALVAREZ, an individual

Counter-Claimants,

v.

ELDORADO STONE, LLC, a Delaware
limited liability company; ELDORADO
STONE OPERATIONS, LLC, a Utah limited
liability company

Counter-Defendants.

Case No. 04-CV-2562 JM(CAB)

SPECIAL VERDICT FORM

Ctrtm: 6
Judge: Hon. Jeffrey T. Miller
Trial Date: March 12, 2007

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

3 **MISAPPROPRIATION OF TRADE SECRETS**

4 1. Does Eldorado Stone have one or more trade secrets?

5 Yes X

6 No _____

7 If your answer is yes, go to Question 2.

8 If your answer is no, go to Question 7.

9 2. Did any of the Defendants misappropriate one or more trade secrets owned by
10 Eldorado Stone?

11 Yes X

12 No _____

13 If your answer is yes, go to Question 3.

14 If your answer is no, go to Question 7.

15 3. Which Defendant(s) misappropriated one or more of Eldorado's trade secrets?
16 (Check ("X") for all that apply.)

17 Renaissance Stone, Inc. X

18 Alfonso Alvarez X

19 Joseph Smith _____

20 Rob Hager X

21 Go to Question 4.

22 4. Please state the amount of money which will reasonably and fairly compensate
23 Eldorado Stone for the injuries caused by Defendant's(s') misappropriation of Eldorado Stone's
24 trade secret(s):

25 \$ 15,000,000

26 Go to Question 5.

27 5. Did any Defendant willfully and maliciously misappropriate Eldorado Stone's trade
28 secret(s)?

1 Yes X

2 No _____

3 If your answer is yes, go to Question 6.

4 If your answer is no, go to Question 7.

5 6. Which Defendant(s) willfully and maliciously misappropriated one or more of
6 Eldorado's trade secrets? (Check ("X") for all that apply.)

7 Renaissance Stone, Inc. X

8 Alfonso Alvarez X

9 Joseph Smith _____

10 Rob Hager X

11 Go to Question 7.

12 **COPYRIGHT INFRINGEMENT**

13 7. Did any of the individual Defendants create or use a work that is substantially
14 similar to Eldorado Stone's website and/or installation guide?

15 Yes X

16 No _____

17 If your answer is yes, go to Question 8.

18 If your answer is no, go to Question 10.

19 8. Which individual Defendant(s) created or used a work that is substantially similar
20 to Eldorado Stone's website and/or installation guide? (Check ("X") for all that apply.)

21 Alfonso Alvarez _____

22 Joseph Smith X

23 Rob Hager X

24 Go to Question 9.

25 9. Did any Defendant(s) willfully infringe Eldorado Stone's copyright in its website
26 and/or installation guide?

27 Yes X

28 No _____

1 If your answer is yes, go to Question 10.

2 If your answer is no, go to Question 11.

3 10. The Court has instructed you that Renaissance Stone, Inc. infringed Eldorado
4 Stone's copyright in its website. Which Defendant(s) willfully infringed Eldorado Stone's
5 copyright in its website and/or installation guide? (Check ("X") for all that apply.)

6 Renaissance Stone, Inc. X

7 Alfonso Alvarez _____

8 Joseph Smith X

9 Rob Hager X

10 Go to Question 11.

11 11. If you find that Defendant's(s') infringement of Eldorado Stone's copyright in its
12 website and/or installation guide was willful, then Eldorado Stone is entitled to statutory damages
13 in an amount of at least \$750 and not more than \$150,000. If you find that Defendant's(s')
14 infringement of Eldorado Stone's copyright in its website and/or installation guide was not willful,
15 then Eldorado Stone is entitled to statutory damages in an amount of at least \$750.00 and not more
16 than \$30,000.

17 Please state the amount of damages that Eldorado Stone is entitled to:

18 \$ 75,000

19 Go to Question 12.

20 12. Did any Defendant(s) create or use a work that is substantially similar to Eldorado
21 Stone's product brochure?

22 Yes X

23 No _____

24 If your answer is yes, go to Question 13.

25 If your answer is no, go to Question 17.

26 ///

27 ///

28 ///

1 13. Which Defendant(s) created or used a work that is substantially similar to Eldorado
2 Stone's product brochure? (Check ("X") for all that apply.)

3 Renaissance Stone, Inc. X

4 Alfonso Alvarez X

5 Joseph Smith

6 Rob Hager X

7 Go to Question 14.

8 14. Did any Defendant(s) willfully infringe Eldorado Stone's copyright in its product
9 brochure?

10 Yes X

11 No

12 If your answer is yes, go to Question 15.

13 If your answer is no, go to Question 16.

14 15. Which Defendant(s) willfully infringed Eldorado Stone's copyright in its product
15 brochure? (Check ("X") for all that apply.)

16 Renaissance Stone, Inc. X

17 Alfonso Alvarez X

18 Joseph Smith

19 Rob Hager X

20 Go to Question 16.

21 16. If you find that Defendant's(s') infringement of Eldorado Stone's copyright in its
22 product brochure was willful, then Eldorado Stone is entitled to statutory damages in an amount of
23 at least \$750 and not more than \$150,000. If you find that Defendant's(s') infringement of
24 Eldorado Stone's copyright in its product brochure was not willful, then Eldorado Stone is entitled
25 to statutory damages in an amount of at least \$750.00 and not more than \$30,000.

26 Please state the amount of damages that Eldorado Stone is entitled to:

27 \$ 100,000

28 Go to Question 17.

FEDERAL TRADEMARK INFRINGEMENT

17. Did any Defendant(s) use a mark that is similar to RUSTIC LEDGE in a manner that is likely to cause confusion among ordinary purchasers as to the source or sponsorship of goods?

Yes X

No

If your answer is yes, go to Question 18.

If your answer is no, go to Question 21.

18. Which Defendant(s) used a mark that is similar to RUSTIC LEDGE in a manner that is likely to cause confusion among purchasers? (Check ("X") for all that apply.)

Renaissance Stone, Inc. X

Alfonso Alvarez X

Rob Hager X

Go to Question 19.

19. Did any Defendant(s) use a mark confusingly similar to the RUSTIC LEDGE mark intentionally, knowing that such use was an infringement of the RUSTIC LEDGE mark?

Yes X

No

If your answer is yes, go to Question 20.

If your answer is no, go to Question 21.

20. Which Defendant(s) used a mark that is confusingly similar to RUSTIC LEDGE intentionally, knowing that such use was an infringement of the RUSTIC LEDGE mark? (Check ("X") for all that apply.)

Renaissance Stone, Inc. X

Alfonso Alvarez X

Rob Hager X

Go to Question 21.

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FEDERAL COMMON LAW TRADEMARK INFRINGEMENT

21. Has Eldorado Stone used the CLIFFSTONE mark in commerce?

Yes X

No

If your answer is yes, go to Question 22.

If your answer is no, go to Question 24.

22. Did any Defendant(s) use a mark that is similar to CLIFFSTONE, in a manner that is likely to cause confusion among ordinary purchasers as to the source or sponsorship of goods, after Eldorado Stone began using the CLIFFSTONE mark?

Yes X

No

If your answer is yes, go to Question 23.

If your answer is no, go to Question 24.

23. Which Defendant used a mark similar to CLIFFSTONE, in a manner that is likely to cause confusion among ordinary purchasers as to the source or sponsorship of goods, after Eldorado Stone began using the CLIFFSTONE mark? (Check ("X") for all that apply.)

Renaissance Stone, Inc. X

Alfonso Alvarez X

Rob Hager X

Go to Question 24.

FEDERAL TRADEMARK DILUTION

24. Is Eldorado Stone's RUSTIC LEDGE mark famous among a class or group of purchasers within the manufactured stone industry?

Yes X

No

If your answer is yes, go to Question 25.

If your answer is no, go to Question 28.

///

1 25. Has any Defendant(s) used a mark that is confusingly similar to the RUSTIC
2 LEDGE mark in commerce, after Eldorado began using the RUSTIC LEDGE mark?

3 Yes X

4 No

5 If your answer is yes, go to Question 26.

6 If your answer is no, go to Question 28.

7 26. Which Defendant(s) used a mark that is confusingly similar to the RUSTIC
8 LEDGE mark in commerce, after Eldorado began using the RUSTIC LEDGE mark? (Check
9 ("X") for all that apply.)

10 Renaissance Stone, Inc. X

11 Alfonso Alvarez X

12 Rob Hager X

13 Go to Question 27.

14 27. Has the use by any Defendant(s) of a mark that is confusingly similar to the
15 RUSTIC LEDGE mark caused dilution of the distinctive quality of the RUSTIC LEDGE mark?

16 Yes X

17 No

18 Go to Question 28.

19 28. Is Eldorado Stone's CLIFFSTONE mark famous among a class or group of
20 purchasers within the manufactured stone industry?

21 Yes X

22 No

23 If your answer is yes, go to Question 29.

24 If your answer is no, go to Question 32.

25 29. Has any Defendant(s) used a mark that is confusingly similar to the CLIFFSTONE
26 mark in commerce, after Eldorado began using the CLIFFSTONE mark?

27 Yes X

28 No

1 If your answer is yes, go to Question 30.

2 If your answer is no, go to Question 32.

3 30. Which Defendant(s) used a mark that is confusingly similar to the CLIFFSTONE
4 mark in commerce, after Eldorado began using the CLIFFSTONE mark? (Check ("X") for all that
5 apply.)

6 Renaissance Stone, Inc. X

7 Alfonso Alvarez X

8 Rob Hager X

9 Go to Question 31.

10 31. Has the use by any Defendant(s) of a mark that is confusingly similar to the
11 CLIFFSTONE mark caused dilution of the distinctive quality of the CLIFFSTONE mark?

12 Yes X

13 No

14 Go to Question 32.

15 **INTENTIONAL INTERFERENCE WITH ECONOMIC RELATIONSHIPS**

16 32. Did an economic relationship exist between Eldorado Stone and customer(s) that
17 carried with it the probability of future economic benefit to plaintiff?

18 Yes X

19 No

20 If your answer is yes, go to Question 33.

21 If your answer is no, you have completed this Verdict Form. Please sign and return it to
22 the Bailiff.

23 33. Did any Defendant have knowledge of such relationship(s)?

24 Yes X

25 No

26 If your answer is yes, go to Question 34.

27 If your answer is no, you have completed this Verdict Form. Please sign and return it to
28 the Bailiff.

1 34. Which Defendant(s) had knowledge of such relationship(s)? (Place an (X) next to
2 all that apply.)

3 Renaissance Stone, Inc. X

4 Alfonzo Alvarez. X

5 Rob Hager X

6 Go to Question 35.

7 35. Did any Defendant intentionally engage in a wrongful act or acts -- separate and
8 apart from the misappropriation and use of trade secrets, copyright or trademark infringement --
9 designed to disrupt such relationship(s)?

10 Yes X

11 No

12 If your answer is yes, go to Question 36.

13 If your answer is no, you have completed this Verdict Form. Please sign and return it to
14 the Bailiff.

15 36. Which Defendant(s) intentionally engaged in a wrongful act or acts designed to
16 disrupt such relationship(s)? (Place an ("X") next to all that apply.)

17 Renaissance Stone, Inc. X

18 Alfonzo Alvarez. X

19 Rob Hager X

20 Go to Question 37.

21 37. Was any relationship between Eldorado Stone and its customers actually disrupted?

22 Yes X

23 No

24 If your answer is yes, go to Question 38.

25 If your answer is no, you have completed this Verdict Form. Please sign and return it to
26 the Bailiff.

27 38. Was the conduct of any Defendant(s) a substantial factor in causing harm to
28 Eldorado Stone?

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Yes X

No

If your answer is yes, go to Question 39.

If your answer is no, you have completed this Verdict Form. Please sign and return it to the Bailiff.

39. As a result of the disruption of Eldorado Stone's economic relationship(s), Eldorado Stone is entitled to damages in the following amount:

\$ 1,859,775

Go to Question 40.

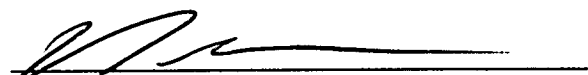
40. Is Eldorado Stone entitled to punitive damages as a result of the disruption of its economic relationship(s)?

Yes X

No

You have now completed this Verdict Form. The Foreperson should sign this Verdict Form below and notify the bailiff that you have reached a verdict.

Dated this 29th day of March , 2007.


Foreperson Red J. Gulla

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