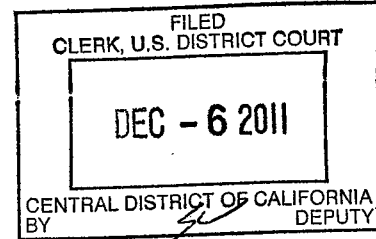


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**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

POM WONDERFUL LLC, a Delaware
limited liability company,

Plaintiff,

vs.

OCEAN SPRAY CRANBERRIES,
INC., a Delaware corporation; and
DOES 1-10, inclusive,

Defendants.

Case No. CV09-00565 DDP (RZx)

SPECIAL JURY VERDICT FORM

1
2 **We, the jury, in the above-entitled action, find the following unanimous**
3 **special verdict:**

4
5 **1. Did POM Wonderful prove that the label or advertising of Ocean Spray’s**
6 **100% Juice Cranberry & Pomegranate product (the “Product”) was**
7 **misleading with respect to the amount of pomegranate juice in the Ocean**
8 **Spray Product?**

9 Yes: _____

No: ~~_____~~

10 (If yes, please proceed to question no. 2; if no, please sign and date this form.)

11
12 **2. Did POM Wonderful prove that such deception with respect to the amount of**
13 **pomegranate juice in the Ocean Spray Product was material, meaning that it**
14 **likely influenced the purchasing decision of a substantial segment of**
15 **consumers?**

16 Yes: _____

No: _____

17 (If yes, please proceed to question no. 3; if no, please sign and date this form.)

18
19 **3. Did POM Wonderful prove that Ocean Spray intended for its label or**
20 **advertising to deceive consumers with respect to the amount of pomegranate**
21 **juice in the Ocean Spray Product?**

22 Yes: _____

No: _____

23 (Please proceed to question no. 4.)

24
25
26 ///

27 ///

28 ///

1 **4. Did POM Wonderful prove that it lost profits because of deception in Ocean**
2 **Spray's label or advertising which caused consumers to buy Ocean Spray's**
3 **product instead of POM Wonderful's 100% pomegranate juice?**

4 Yes: _____ No: _____

5 (If yes, please proceed to answer question no. 5; if no, please sign and date this
6 form.)

7
8 **5. What amount, if any, of POM Wonderful's lost profits did POM Wonderful**
9 **prove that it suffered?**

10 \$ _____

11 (Please sign and date this form.)

12
13
14 Dated at Los Angeles, California,

15
16 this 6th day of December, 2011.

17
18 **REDACTED**

19 VERDICT FORM AS TO FOREPERSON
20 SIGNATURE