

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

HC&D, LLC,

Plaintiff,

v.

CASHMAN EQUIPMENT CORP.,

Defendant.

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Civil Action No. 22-cv-10224-ADB

SPECIAL VERDICT FORM

**I. HC&D'S FRAUD/FRAUDULENT INDUCEMENT CLAIM AGAINST
CASHMAN EQUIPMENT CORP.**

1. Did Cashman Equipment Corp. knowingly or recklessly make a false representation or representations to HC&D?

Yes X No _____

If your answer to Question 1 was "Yes," then answer Question 2. If your answer to Question 1 was "No," your deliberations are done and you should sign the verdict form and return to the courtroom.

2. Did the false representation(s) concern something that HC&D would consider important or material to its decision to purchase the Barge?

Yes X No _____

If your answer to Question 2 was "Yes," then answer Question 3. If your answer to Question 2 was "No," your deliberations are done and you should sign the verdict form and return to the courtroom.

3. Did Cashman Equipment Corp. make the false representation(s) with the intention that HC&D rely on the false representation(s) in purchasing the Barge?

Yes X No _____

If your answer to Question 3 was "Yes," then answer Question 4. If your answer to Question 3 was "No," your deliberations are done and you should sign the verdict form and return to the courtroom.

4. Did HC&D rely on Cashman Equipment Corp.'s false representation(s) in purchasing the Barge?

Yes X No _____

If your answer to Question 4 was "Yes," then answer Question 5. If your answer to Question 4 was "No," your deliberations are done and you should sign the verdict form and return to the courtroom.

5. Was it reasonable for HC&D to rely on Cashman Equipment Corp.'s false representation(s) in purchasing the Barge?

Yes X No _____

If your answer to Question 5 was "Yes," then answer Question 6. If your answer to Question 5 was "No," your deliberations are done and you should sign the verdict form and return to the courtroom.

6. Did HC&D suffer a financial loss as a result of relying on Cashman Equipment Corp.'s false representation(s), meaning that the value of what HC&D received was less than the value of what it was promised?

Yes X No _____

If your answer to Question 6 was "Yes," then answer Questions 7 and 8. If your answer to Question 6 was "No," your deliberations are done and you should sign the verdict form and return to the courtroom.

7. What is the difference in the value between what was promised to HC&D and what HC&D received?

\$ \$ 885 000

Words: Eight Hundred Eighty Five Thousand Dollars

8. What other amount of damages, if any, is HC&D entitled to recover?

\$ 234 231.19

Words: Two Hundred Thirty Four Two Hundred Thirty One ¹⁹/₁₀₀

If your answer to Question 7 or 8 was a number greater than \$0, then answer Questions 9, 10 and 11. If your answers to Questions 7 and 8 are both \$0, your deliberations are done and you should sign the verdict form and return to the courtroom.

9. What is the total amount of damages HC&D is entitled to recover? You should get to this number by adding up the amounts specified in Questions 7 and 8.

\$ 1,119 231.19

Words: One million one hundred nineteen thousand
Two Hundred Thirty One Dollar ¹⁹/₁₀₀ CENTS

II. CASHMAN EQUIPMENT CORP.'S AFFIRMATIVE DEFENSES

10. Was the damage that HC&D experienced caused, in whole or in part, by a person other than Cashman Equipment Corp. and/or other circumstances outside of Cashman Equipment Corp.'s control?

Yes ~~YES~~

No X

NO (LSB)

11. Did HC&D fail to mitigate the damages caused as a result of Cashman Equipment Corp.'s false representation(s)?

Yes _____

No X

If your answer to Question 10 or 11 was "Yes," then answer Questions 12 and 13. If your answer to both Questions 10 and 11 was "No," your deliberations are done and you should sign the verdict form and return to the courtroom.

12.

- a. If your answer to Question 10 was "Yes," how much should be subtracted from the total amount of damages for damages that were caused by a person other than Cashman Equipment Corp. or other circumstances outside of Cashman Equipment Corp.'s control?

\$ _____

Words: _____

- b. If your answer to Question 11 was "Yes," how much should be subtracted from the total amount of damages for damages that were caused by HC&D's failure to mitigate its damages?

\$ _____

Words: _____

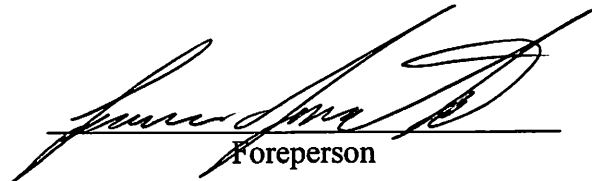
13. What is the total amount of damages HC&D is entitled to recover? You should get to this number by subtracting the amounts in Question 12(a) and 12(b) from the amount specified in Question 9.

\$ _____

Words: _____

Your deliberations are done and you should sign the verdict form and return to the courtroom.

Dated this 13 day of May, 2026


Foreperson