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AT SEATTLE
CLERK U.S. DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

PROPET USA, INC.,)
Plaintiff,) CASE NO. C06-186 MAT
v.)
LLOYD SHUGART,)
Defendant.)

We, the jury, make the following answers to the questions submitted by the Court:

QUESTION 1:

Did Propet receive an unlimited license from Mr. Shugart?

Answer "Yes" or "No" No

If the answer is "No", then go to Question 2. If the answer is "Yes", then skip Questions 2 and 5, and put "zero" in Questions 6(a), 6(c) and 7. Then proceed to Question 3.

QUESTION 2:

Did Propet infringe Mr. Shugart's copyrights?

Answer "Yes" or "No" Yes

If the answer is "Yes", provide an amount of damages, if any, at Questions 6(a) and 7. If the answer is "No", put "zero" in Questions 6(a) and 7. Either way, go to Question 3.



01 **QUESTION 3:**

02 Did Propet knowingly or intentionally remove any copyright management information
03 from Mr. Shugart's photographs?

04 Answer "Yes" or "No" Yes

05 If the answer is "Yes", provide an amount of damages, if any, at Question 6(b) and
06 proceed to question 4. If the answer is "No", put "zero" in Question 6(b). Either way, go to
07 Question 5.

08 **QUESTION 4:**

09 If your answer to Question 3 is "Yes", was Propet unaware and did it have no reason to
10 believe that its conduct was unlawful?

11 Answer "Yes" or "No" No

12 **QUESTION 5:**

13 If the answer to Question 1 is "No", did Propet retain possession, refuse to return, or lose
14 original images provided by Mr. Shugart to Propet?

15 Answer "Yes" or "No" Yes

16 If the answer is "Yes", provide an amount of damages, if any, at Question 6(c). If the
17 answer is "No", put "zero" in Question 6(c). Either way, go to Question 6.

18 **QUESTION 6:**

19 If your answer to Questions 2, 3, or 5 is "Yes", indicate below the damages, if any, that
20 Mr. Shugart is entitled to receive. On the other hand, if any answer to Questions 2, 3, or 5 is
21 "No", put "zero" damages in the appropriate blank.

22 (a) Copyright infringement – actual damages: \$ 12,800 ;

23 (b) Removal of copyright management information: \$ 500,000 ;

24 (c) Failure to return original images: \$ 303,000 .

25 **QUESTION 7:**

26 If your answer to Question 2 is "Yes", indicate below the statutory damages, if any, that

01 Mr. Shugart is entitled to receive. On the other hand, if the answer to Questions 2 is "No", put
02 "zero" damages below.

03 Copyright infringement – statutory damages: \$ 500,000

04
05 SIGNED this 27th day of September, 2007.

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08 JURY FOREPERSON

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