CIVIL DISTRICT COURT FOR THE PARISH OF ORLEANS

STATE OF LOUISIANA

NO. 93-8088 DIVISION "L" SECTION 15

JURY INTERROGATORIES

INTERROGATORY NO. 1:

During which one of the following periods do you find by a preponderance of the evidence Kenneth Dixon became infected with HIV which resulted in his seroconversion to an HIV positive antibody status?

(a) before he moved to Louisiana in the Summer of 1981. _____

(b) after the date he moved to Louisiana in the Summer of 1981 but before January 1, 1982. _____

(c) after December 31, 1981 but before July 12, 1982. C

(d) after July 11, 1982 but before July 28, 1982. _____

(e) after July 27, 1982. _____

(f) not proven which period. _____

Proceed to No. 2.

INTERROGATORY NO. 2:

Do you find by a preponderance of the evidence that the cause of Kenneth Dixon's HIV infection was from Factor VIII concentrate?

YES ✓ NO _____

If you answered "No", skip all remaining questions, sign and date this form. If you answered "Yes", proceed to No. 3.

INTERROGATORY NO. 3:

If you answered No. 2 as "Yes", by a preponderance of the evidence whose Factor VIII concentrate product infected Kenneth Dixon with HIV which resulted in his seroconversion to an HIV positive antibody status? (Check only one of the following.)

(a) Armour _____

(b) Cutter B

(c) Baxter _____

(d) Alpha _____

(e) Another person or entity _____

(f) Not proven which Factor VIII product infected Kenneth Dixon _____

3167

D☐P☒ Exhibit 12
Deponent Vang
Date 7/18/08 Rptr
Merrill Legal Solutions
www.worldwave.com.hk

Proceed to No. 4.

INTERROGATORY NO. 4:

Do you find by a preponderance of the evidence that a contaminated Factor VIII concentrate product used by or on Kenneth Dixon after his infection with HIV was a substantial factor which aggravated Kenneth Dixon's HIV infection?

YES ✓ NO _____

If you answered "No," skip No. 5 and answer No. 6. If you answered "Yes," answer No. 5.

INTERROGATORY NO. 5:

Whose contaminated Factor VIII concentrate aggravated Kenneth Dixon's HIV infection (check all that apply, if any)?

(a) Armour _____

(b) Cutter B

(c) Baxter _____

(d) Alpha D

(e) Another person or entity _____

(f) Not proven which Factor VIII product aggravated Kenneth Dixon's HIV infection _____

Proceed to No. 6.

INTERROGATORY NO. 6:

Do you find a preponderance of the evidence establishes that the Factor VIII concentrate infused by Kenneth Dixon which infected him with HIV was unreasonably dangerous to normal use?

YES ✓ NO _____

Proceed to No. 7.

INTERROGATORY NO. 7:

Do you find by a preponderance of the evidence that Factor VIII concentrate of any defendant was unavoidably unsafe?

YES _____ NO ✓

Proceed to No. 8.

INTERROGATORY NO. 8:

If you answered No. 7 as "Yes", whose Factor VIII concentrate was unavoidably unsafe (check any that apply)?:

(a) Armour _____

(b) Cutter _____

(c) Baxter _____

(d) Alpha _____

Proceed to No. 9.

INTERROGATORY NO. 9:

Do you find by a preponderance of the evidence any manufacturer of Factor VIII concentrate was negligent which negligence was a cause-in-fact of an HIV injury to Kenneth Dixon?

YES ✓ NO _____

If you answered No. 9 as "No," skip No. 10; otherwise, Proceed to No.10.

INTERROGATORY NO. 10:

If you answered No. 9 as "Yes;" by a preponderance of the evidence which of the following was negligent which negligence was a cause-in-fact of any HIV injury to Kenneth Dixon (check any that apply)?:

(a) Armour _____

(b) Cutter B

(c) Baxter _____

(d) Alpha D

Proceed to No. 11.

INTERROGATORY NO. 11:

Do you find by a preponderance of the evidence at the time its Factor VIII concentrate left its control, the defendant did not know or could not know that its Factor VIII concentrate infused by Kenneth Dixon was contaminated with the AIDS causing agent?

YES _____ NO No

Proceed to No. 12.

INTERROGATORY NO. 12:

Do you find by a preponderance of the evidence that any of the defendants's Factor VIII concentrate which Kenneth Dixon infused was the subject of fraudulent misrepresentations of the risk or safety of their Factor VIII which fraudulent misrepresentations were a cause-in-fact of Kenneth Dixon's injury?

YES ✓ NO _____

If you answered No. 12 as "No," skip No. 13; otherwise, proceed to No. 13.

INTERROGATORY NO. 13

If you answered No. 12 as "Yes," which of the following engaged in fraudulent misrepresentations that caused Kenneth Dixon's injury? (Check any that apply.)

(a) Armour _____

(b) Cutter B

(c) Baxter _____

(d) Alpha D

(e) Another person or entity _____

Proceed to No. 14.

INTERROGATORY NO.14:

What amount of money, if any, do you find would reasonably and fairly compensate the plaintiffs for their damages, if any?

(a) pain, suffering, loss of lifestyle, disability and mental anguish of Kenneth Dixon while he was alive from the day he was diagnosed with AIDS until death — $ 10 millions 10,000,000.00

(b) provided you answered No. 4 as "yes," pain, suffering, loss of lifestyle, disability, and mental anguish of Kenneth Dixon while he was alive and due to the aggravation of his HIV infection resulting from a defect in a Factor VIII concentrate? — $ 5.3 millions

(c) loss of love and affection to Shirley Dixon and for the wrongful death of Kenneth Dixon — $ 10 millions

(d) loss of love and affection to Leo Dixon and for the wrongful death of Kenneth Dixon — $ 10 millions

TOTAL OF (a), (b), (c), and (d): $ 35.3 millions

Signed at New Orleans this 3/15 day of MARCH, 1999.

Wilson R. Williams
FOREPERSON

A TRUE COPY
DEPUTY CLERK, CIVIL DIVISION
UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA