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Superior Court of California
County of Los Angeles

SEP 14 2011

John A. Clarke, Executive Officer/ Clerk
By C. Piedra, Deputy

11 Attorneys for Defendant DoubleLine Capital LP and
12 Defendants and Cross-Complainants Jeffrey Gundlach,
13 Barbara VanEvery, Cris Santa Ana and Jeffrey
14 Mayberry

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24 Attorneys for Defendants and Cross-Complainants
25 Jeffrey Gundlach, Barbara VanEvery, Cris Santa Ana
26 and Jeffrey Mayberry

27 SUPERIOR COURT OF THE STATE OF CALIFORNIA
28 COUNTY OF LOS ANGELES, CENTRAL CIVIL WEST

19 TRUST COMPANY OF THE WEST, a
20 California Corporation,
21 Plaintiff,
22 vs.
23 JEFFREY GUNDLACH, an individual, *et al.*,
24 Defendants.

CASE NO. BC 429385
[Related to Case No. BC 450413]
Assigned to Hon. Carl J. West, Dept. 322
**DEFENDANTS' AND CROSS-
COMPLAINANTS' NOTICE OF
LODGING FINAL VERDICT FORM**

25 And Related Cross Action.

Date Complaint Filed: January 7, 2010
Cross Complaint Filed: May 14, 2010
Trial Date: July 25, 2011



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12 Defendants and Cross-Complainants Jeffrey Gundlach,
13 Barbara VanEvery, Cris Santa Ana and Jeffrey
14 Mayberry

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19 TRUST COMPANY OF THE WEST, a
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Attached hereto is the final, approved Verdict Form.

DATED: September 13, 2011

MUNGER, TOLLES & OLSON LLP

By: Mark B. Helm (MBO)
Mark B. Helm

Attorneys for Defendant DoubleLine Capital LP and
Defendants and Cross-Complainants Jeffrey
Gundlach, Barbara VanEvery, Cris Santa Ana and
Jeffrey Mayberry

DATED: September 13, 2011

KELLEY DRYE & WARREN LLP

By: Edward E. Weiman (EEW)
Edward E. Weiman

Attorneys for Defendants and Cross-Complainants
Jeffrey Gundlach, Barbara VanEvery, Cris Santa
Ana and Jeffrey Mayberry

ATTACHMENT

SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF LOS ANGELES, CENTRAL CIVIL WEST

TRUST COMPANY OF THE WEST, a
California Corporation,

Plaintiff,

vs.

JEFFREY GUNDLACH, an individual, *et al.*,

Defendants.

And Related Cross Action.

CASE NO. BC 429385
[Related to Case No. BC 450413]
[Assigned to Hon. Carl J. West]

VERDICT FORM

Dept.: 322
Trial Date:

July 25, 2011

*TCW v. Jeffrey Gundlach, Barbara VanEvery, Cris Santa Ana,
Jeffrey Mayberry And Doubleline Capital LP*

VERDICT FORM

We, the jury in the above-entitled action, answer the questions submitted to us as follows:

I. TCW'S CLAIM FOR BREACH OF FIDUCIARY DUTY

1. How do you find on TCW's claim for breach of fiduciary duty?
 - (a) For TCW: _____ For Jeffrey Gundlach: _____
 - (b) For TCW: _____ For Barbara VanEvery: _____
 - (c) For TCW: _____ For Cris Santa Ana: _____
 - (d) For TCW: _____ For Jeffrey Mayberry: _____

2. If you find one or more defendant is liable for breaching his or her fiduciary duty, did any of the following conspire with that person or persons to breach their fiduciary duty or duties?
 - (a) Jeffrey Gundlach: Yes _____ No _____
 - (b) Barbara VanEvery: Yes _____ No _____
 - (c) Cris Santa Ana: Yes _____ No _____
 - (d) Jeffrey Mayberry: Yes _____ No _____

3. If you find for TCW, was TCW damaged?
Yes: _____ No: _____

4. If so, state the total damages, if any, TCW proved were caused by breach of fiduciary duty:
AMOUNT: \$ _____

5. State the damages, if any, TCW proved were caused by the breach of fiduciary duty and that you award against each individual:
- (a) Against Jeffrey Gundlach
AMOUNT: \$ _____
 - (b) Against Barbara VanEvery
AMOUNT: \$ _____
 - (c) Against Cris Santa Ana
AMOUNT: \$ _____
 - (d) Against Jeffrey Mayberry
AMOUNT: \$ _____

II. TCW'S CLAIM FOR TRADE SECRET VIOLATION

6. How do you find on TCW's claim for misappropriation of trade secrets?
- (a) For TCW: _____ For Jeffrey Gundlach: _____
 - (b) For TCW: _____ For Barbara VanEvery: _____
 - (c) For TCW: _____ For Cris Santa Ana: _____
 - (d) For TCW: _____ For Jeffrey Mayberry: _____
 - (e) For TCW: _____ For DoubleLine Capital LP: _____
7. If you find for TCW, was TCW harmed by the misappropriation?
Yes: _____ No: _____
8. If you find for TCW against Jeffrey Gundlach or DoubleLine, has TCW proven by clear and convincing evidence that such defendant acted willfully and maliciously?
- (a) Jeffrey Gundlach: Yes _____ No _____
 - (b) DoubleLine Capital LP: Yes _____ No _____

III. TCW'S CLAIM FOR INTENTIONAL INTERFERENCE WITH CONTRACTUAL RELATIONS

9. How do you find on TCW's claim for intentional interference with contractual relations against Jeffrey Gundlach?

For TCW: _____ For Jeffrey Gundlach: _____

10. If you find for TCW, was TCW damaged?

Yes: _____ No: _____

11. If so, state the damages, if any, TCW proved were caused by Jeffrey Gundlach's intentional interference with contractual relations and that you award:

AMOUNT: \$ _____

IV. PUNITIVE DAMAGES

12. Has TCW proven malice, oppression, or fraud by clear and convincing evidence against Jeffrey Gundlach?

(a) For breach of fiduciary duty

Yes: _____ No: _____

(b) For interference with contractual relations

Yes: _____ No: _____

13. State the amount, if any, of punitive damages TCW proved against Jeffrey Gundlach:

AMOUNT: \$ _____

V. JEFFREY GUNDLACH'S CLAIMS AGAINST TCW

14. How do you find on Jeffrey Gundlach's breach of contract claim against TCW?

For Jeffrey Gundlach: _____ For TCW: _____

15. State the damages, if any, Jeffrey Gundlach proved were caused by TCW's breach of contract:

AMOUNT: \$ _____

16. How do you find on Jeffrey Gundlach's claim against TCW for breach of the covenant of good faith and fair dealing?

For Jeffrey Gundlach: _____ For TCW: _____

17. State the damages, if any, Jeffrey Gundlach proved were caused by TCW's breach of the covenant of good faith and fair dealing:

AMOUNT: \$ _____

18. How do you find on Jeffrey Gundlach's claim against TCW for failure to pay wages due under the Labor Code?

For Jeffrey Gundlach: _____ For TCW: _____

19. State the damages, if any, Jeffrey Gundlach proved were caused by TCW's failure to pay wages due under the Labor Code:

AMOUNT: \$ _____

VI. BARBARA VANEVERY'S CLAIMS AGAINST TCW

20. How do you find on Barbara VanEvery's breach of contract claim against TCW?

For Barbara VanEvery: _____ For TCW: _____

21. State the damages, if any, Barbara VanEvery proved were caused by TCW's breach of contract:

AMOUNT: \$ _____

22. How do you find on Barbara VanEvery's claim against TCW for breach of the covenant of good faith and fair dealing?

For Barbara VanEvery: _____ For TCW: _____

23. State the damages, if any, Barbara VanEvery proved were caused by TCW's breach of the covenant of good faith and fair dealing:

AMOUNT: \$ _____

24. How do you find on Barbara VanEvery's claim against TCW for failure to pay wages due under the Labor Code?

For Barbara VanEvery: _____ For TCW: _____

25. State the damages, if any, Barbara VanEvery proved were caused by TCW's failure to pay wages due under the Labor Code:

AMOUNT: \$ _____

VII. CRIS SANTA ANA'S CLAIMS AGAINST TCW

26. How do you find on Cris Santa Ana's breach of contract claim against TCW?

For Cris Santa Ana: _____ For TCW: _____

27. State the damages, if any, Cris Santa Ana proved were caused by TCW's breach of contract:

AMOUNT: \$ _____

28. How do you find on Cris Santa Ana's claim against TCW for breach of the covenant of good faith and fair dealing?

For Jeffrey Gundlach: _____ For TCW: _____

29. State the damages, if any, Cris Santa Ana proved were caused by TCW's breach of the covenant of good faith and fair dealing:

AMOUNT: \$ _____

30. How do you find on Cris Santa Ana's claim against TCW for failure to pay wages due under the Labor Code?

For Cris Santa Ana: _____ For TCW: _____

31. State the damages, if any, Cris Santa Ana proved were caused by TCW's failure to pay wages due under the Labor Code:

AMOUNT: \$ _____

VIII. JEFFREY MAYBERRY'S CLAIMS AGAINST TCW

32. How do you find on Jeffrey Mayberry's breach of contract claim against TCW?

For Jeffrey Mayberry: _____ For TCW: _____

33. State the damages, if any, Jeffrey Mayberry proved were caused by TCW's breach of contract:

AMOUNT: \$ _____

34. How do you find on Jeffrey Mayberry's claim against TCW for breach of the covenant of good faith and fair dealing?

For Jeffrey Gundlach: _____ For TCW: _____

35. State the damages, if any, Jeffrey Mayberry proved were caused by TCW's breach of the covenant of good faith and fair dealing:

AMOUNT: \$ _____

36. How do you find on Jeffrey Mayberry's claim against TCW for failure to pay wages due under the Labor Code?

For Jeffrey Mayberry: _____ For TCW: _____

37. State the damages, if any, Jeffrey Mayberry proved were caused by TCW's failure to pay wages due under the Labor Code:

AMOUNT: \$ _____

Have the foreperson sign and date this form:

Dated: _____, 2011

Foreperson

1 PROOF OF SERVICE

2 STATE OF CALIFORNIA, COUNTY OF LOS ANGELES:

3 I, the undersigned, declare that I am over the age of 18 and not a party to the
4 within cause. I am employed by Munger, Tolles & Olson LLP in the County of Los Angeles,
5 State of California. My business address is 355 South Grand Avenue, Thirty-Fifth Floor, Los
6 Angeles, California 90071-1560.

7 On September 13, 2011, I served the foregoing document(s) described as: **DEFENDANTS' AND
8 CROSS-COMPLAINANTS' NOTICE OF LODGING FINAL VERDICT FORM** upon the
9 interested parties in this action as follows:

10 Quinn Emanuel Urquhart & Sullivan, LLP
11 Dominic Surprenant
12 David Sergenian
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13 Attorneys for Plaintiff Trust Company of the
14 West

Attorneys for Defendants and Cross-
Complainants Jeffrey Gundlach, Barbara
VanEvery, Cris Santa Ana and Jeffrey
Mayberry

- 17 **BY EMAIL:** By transmitting on this date via email a true and correct copies of the
18 documents scanned into an electronic file in Adobe PDF format to the email addresses of
19 the persons on the service list. The transmission was reported as complete and without
20 error.
- 21 **BY LEXISNEXIS** I electronically served the documents via LexisNexis File & Serve,
22 described below, on the recipients designated on the Transaction Receipt located on the
23 LexisNexis File & Serve website.
- 24 **(STATE)** I declare under penalty of perjury that the foregoing is true and correct.
- 25 **(FEDERAL)** I declare that I am employed in the office of a member of the bar of this
26 court at whose direction the service was made.

25 Executed on September 13, 2011, at Los Angeles, California,

26 /s/ Carol Jette

Carol Jette

