

IN THE CIRCUIT COURT OF THE  
SEVENTEENTH JUDICIAL CIRCUIT IN  
AND FOR BROWARD COUNTY, FLORIDA

CASE NO. 07-036719 (08)

JUDGE DAVID A. HAIMES

BRYAN RINTOUL, as Personal  
Representative of the Estate of EDWARD  
CAPRIO,

Plaintiff,

vs.

PHILIP MORRIS USA INC. and R.J.  
REYNOLDS TOBACCO COMPANY

Defendants.

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**VERDICT**

We, the jury, return the following verdict:

1. **Was Edward Caprio addicted to cigarettes containing nicotine and, if so, was that addiction a legal cause of his Chronic Obstructive Pulmonary Disease ("COPD")?**

Yes  No

*If you answered No to Question 1, please proceed no further except to sign and date the verdict form and return to the Courtroom.*

*If you answered YES to Question 1, please proceed to Question 2.*

2. **Was there negligence on the part of Edward Caprio that was a legal cause of his injury and death?**

Yes  No

*Please proceed to Question 3.*

3. Please state the percentage of negligence that was a legal cause of Mr. Caprio's injury and death that you charge to:

Philip Morris USA Inc.	<u>49</u>	%
R.J. Reynolds Tobacco Co.	<u>49</u>	%
Edward Caprio	<u>2</u>	%

TOTAL MUST BE 100%

*If you checked No on Question 2, please enter a zero for Edward Caprio.*

4. Please state whether Mr. Caprio reasonably relied to his detriment on any statement of material fact made by each Defendant that concealed or omitted material information not otherwise known or available, concerning the health effects or addictive nature of smoking cigarettes, knowing that the material was false and misleading, and if so, whether such reliance was a legal cause of Mr. Caprio's injury and death:

Philip Morris USA Inc.	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
R.J. Reynolds Tobacco Co.	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>

*Please proceed to Question 5.*

5. Please state whether Mr. Caprio reasonably relied to his detriment on any statement of material fact that was made in furtherance of Defendants' agreement to conceal or omit material information not otherwise known or available, concerning the health effects or addictive nature of smoking cigarettes, with the intention that smokers and members of the public would rely to their detriment, and, if so, whether such reliance was a legal cause of Mr. Caprio's injury and death:

Philip Morris USA Inc.	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
R.J. Reynolds Tobacco Co.	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>

*In determining the total amount of damages, you should not make any reduction because of the negligence, if any, of Edward Caprio. The Court in entering judgment will make any appropriate reductions in the damages awarded. There will be no reduction if you find for the Plaintiff on Questions 4 or 5.*

*Please proceed to Question 6.*

6. What is the total amount of any damages lost by the estate for the amount of any medical expenses resulting from Mr. Caprio's injury and death charged to the estate or paid by someone other than a survivor?

\$ 200,000.00

7. What is the total amount of damages sustained by Bryan Rintoul for the loss of Mr. Caprio's companionship and protection and for his pain and suffering as a result of Mr. Caprio's injury and death?

\$ 9,000,000.00

*Please proceed to Question 8.*

8. Under the circumstances of this case, state whether you find by clear and convincing evidence that punitive damages are warranted against:

Philip Morris USA Inc. Yes  No

R.J. Reynolds Tobacco Co. Yes  No

*Please proceed to Question 9.*

9. Would Plaintiff Bryan Rintoul and Mr. Caprio have been married before Mr. Caprio developed COPD in 1996, had it been legal to do so?

Yes  No

SO SAY WE ALL, this 7<sup>th</sup> day of November, 2019,

Hector Quinones  
Foreperson

IN THE CIRCUIT COURT OF THE SEVENTEENTH JUDICIAL CIRCUIT  
IN AND FOR BROWARD COUNTY, FLORIDA  
CIVIL DIVISION

CASE NO. 07-036719 (08)

JUDGE DAVID A. HAIMES

BRYAN RINTOUL, as Personal  
Representative of the Estate of EDWARD  
CAPRIO,

Plaintiff,

vs.

PHILIP MORRIS USA INC. and R.J.  
REYNOLDS TOBACCO COMPANY

Defendants.

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**JURY VERDICT- PUNITIVE DAMAGE PHASE**

We, the Jury, return the following verdict:

1. What is the total amount of punitive damages, if any, which you find, by the greater weight of the evidence, should be assessed against?

Philip Morris USA Inc.

\$ 74,122,719.43

R.J. Reynolds Tobacco Company

\$ 74,122,719.43

If you elect not to assess punitive damages against a defendant, you should enter a zero (0) as the amount of damages.

*(Please sign and date the verdict form.)*

SO SAY WE ALL THIS 15<sup>th</sup> DAY OF NOVEMBER 2019.

Hector Quiñones  
FOREPERSON

Hector Quiñones

IN THE CIRCUIT COURT OF THE  
SEVENTEENTH JUDICIAL CIRCUIT IN AND  
FOR BROWARD COUNTY, FLORIDA

PERTAINS TO CASE NO. 07-036719 (08)

JUDGE DAVID A. HAIMES

BRYAN RINTOUL, as Personal  
Representative of the Estate of  
EDWARD CAPRIO,

Plaintiff,

v.

PHILIP MORRIS USA INC. and R.J. REYNOLDS  
TOBACCO COMPANY,

Defendants.

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**FINAL JUDGMENT**

Pursuant to the verdicts rendered in this action it is hereby

ADJUDGED that Plaintiff, Bryan Rintoul, as Personal Representative of the Estate of Edward Caprio, whose address is 320 Monaco G, Delray Beach, FL 33446, and whose Social Security Number ends in 1724, recover from the Defendant, Philip Morris USA Inc., whose address is 6601 West Broad Street, Richmond, Virginia 23230, and from Defendant, R.J. Reynolds Tobacco Company, whose address is 401 North Main Street, Winston-Salem, North Carolina 27102, jointly and severally, the sum of \$9,200,000.00 (nine million two hundred thousand dollars and no cents) in compensatory damages. It is further

ADJUDGED that Plaintiff, Bryan Rintoul, as Personal Representative of the Estate of Edward Caprio, whose address is 320 Monaco G, Delray Beach, FL 33446, and whose Social

Security Number ends in 1724, recover from the Defendant, Philip Morris USA Inc., whose address is 6601 West Broad Street, Richmond, Virginia 23230 the sum of \$74,122,719.43 (Seventy-four Million, One Hundred Twenty-two Thousand, Seven Hundred Nineteen Dollars and 43/100) in punitive damages; It is further

ADJUDGED that Plaintiff, Bryan Rintoul, as Personal Representative of the Estate of Edward Caprio, whose address is 320 Monaco G, Delray Beach, FL 33446, and whose Social Security Number ends in 1724, recover from the Defendant, R.J. Reynolds Tobacco Company, whose address is 401 North Main Street, Winston-Salem, North Carolina 27102 the sum of \$74,122,719.43 (Seventy-four Million, One Hundred Twenty-two Thousand, Seven Hundred Nineteen Dollars and 43/100) in punitive damages.

This Court reserves jurisdiction to award attorney's fees and costs.

Said sums to bear interest at the legal rate set pursuant to section 55.03, Florida Statutes until paid in full, for which let execution issue.

Dated this 15 day of November, 2019.

**JUDGE DAVID A. HAIMES**

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A TRUE COPY  
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HONORABLE DAVID A. HAIMES  
Circuit Judge

Copies furnished to all on the attached Service List

## SERVICE LIST

Caprio v. R.J. Reynolds, etc., et al.

Case No.07-036719

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