

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

NATIONAL PASTEURIZED EGGS, INC.
and NATIONAL PASTEURIZED EGGS, LLC,

Plaintiffs,

SPECIAL VERDICT

v.

10-cv-646-wmc

MICHAEL FOODS, INC., ABBOTSFORD
FARMS, INC., CRYSTAL FARMS
REFRIGERATED DISTRIBUTION COMPANY,
and M.G. WALDBAUM COMPANY,

Defendants,

and

MICHAEL FOODS, INC.,

Plaintiff,

v.

11-cv-534-wmc

NATIONAL PASTEURIZED EGGS, INC.,

Defendant.

We, the jury, for our special verdict, do find as follows:

National's Patents:

Question No. 1: Has National proven by a preponderance of the evidence that Michael Foods has infringed claims 2 and 3 of U.S. Patent No. 6,165,538 (the '538 patent)?

Answer: yes

If you answered "No" to Question No. 1, skip Question No. 2 and proceed to Question No. 3. If you answered "Yes" to Question No. 1, answer Question No. 2.

Question No. 2: Has Michael Foods proven by clear and convincing evidence that any one or more of the following claims in U.S. Patent No. 6,165,538 (the '538 patent) is invalid?

Claim 2 Answer: NO

Claim 3 Answer: NO

Question No. 3: Has National proven by a preponderance of the evidence that Michael Foods has infringed claim 1 of U.S. Patent No. 6,632,464 (the '464 patent)?

Answer: Yes

If you answered "No" to Question No. 3, skip Question No. 4 and proceed to Question No. 5. If you answered "Yes" to Question No. 3, answer Question No. 4.

Question No. 4: Has Michael Foods proven by clear and convincing evidence that claim 1 of U.S. Patent No. 6,632,464 (the '464 patent) is invalid?

Answer: NO

Question No. 5: Has National proven by a preponderance of the evidence that Michael Foods has infringed claim 5 and 8 of U.S. Patent No. 6,113,961 (the '961 patent)?

Answer: Yes

If you answered "No" to Question No. 5, skip Question No. 6 and proceed to Question No. 7. If you answered "Yes" to Question No. 5, answer Question No. 6.

Question No. 6: Has Michael Foods proven by clear and convincing evidence that any one or more of the following claims of U.S. Patent No. 6,113,961 (the '961 patent) is invalid?

Claim 5 Answer: NO

Claim 8 Answer: NO

Michael Foods' Patents:

Question No. 7: Has National proven by clear and convincing evidence that any one or more of the following claims of U.S. Patent No. 6,004,603 (the '603 patent) is invalid?

Claim 1 Answer: Yes

Claim 2 Answer: Yes

Claim 4 Answer: Yes

Claim 5 Answer: Yes

Question No. 8: Has National proven by clear and convincing evidence that claim 4 of U.S. Patent No. 6,303,176 (the '176 patent) is invalid?

Answer: Yes

Question No. 9: Has National proven by clear and convincing evidence that claim 4 of U.S. Patent No. 6,974,599 (the '599 patent) is invalid?

Answer: Yes

Reganona Barnett
Presiding Juror

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

NATIONAL PASTEURIZED EGGS, INC.
and NATIONAL PASTEURIZED EGGS, LLC,

Plaintiffs,

SPECIAL VERDICT - DAMAGES

v.

10-cv-646-wmc

MICHAEL FOODS, INC., ABBOTSFORD
FARMS, INC., CRYSTAL FARMS
REFRIGERATED DISTRIBUTION COMPANY,
and M.G. WALDBAUM COMPANY,

Defendants,

and

MICHAEL FOODS, INC.,

Plaintiff,

v.

11-cv-534-wmc

NATIONAL PASTEURIZED EGGS, INC.,

Defendant.

We, the jury, for our special verdict, do find as follows:

What amount of damages, if any, will adequately compensate National Pasteurized Eggs for Michael Foods' infringement of U.S. Patent Nos. 6,165,538, 6,632,464, and 6,113,961?

Answer: \$ 5,841,646

Neguanna Barnett
Presiding Juror

Madison, Wisconsin

Dated this 11th day of June, 2012.