

ORIGINAL

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

ZUNUM AERO, INC.,

Plaintiff,

v.

THE BOEING COMPANY, et al.,

Defendants.

CASE NO. C21-0896JLR

JURY VERDICT FORM

We, the Jury, being duly impaneled and sworn, provide the following unanimous answers to the questions submitted by the court:

TRADE SECRET MISAPPROPRIATION UNDER THE
WASHINGTON UNIFORM TRADE SECRETS ACT

QUESTION 1: Has Zunum established by a preponderance of the evidence that the following alleged trade secrets were trade secrets as of the time they were allegedly misappropriated by Boeing?

(Please answer "YES" or "NO" for each alleged trade secret.)

ALLEGED TRADE SECRET	ANSWER
Alleged Trade Secret 1	YES
Alleged Trade Secret 2	YES
Alleged Trade Secret 3	YES
Alleged Trade Secret 4	YES
Alleged Trade Secret 5	YES
Alleged Trade Secret 6	YES
Alleged Trade Secret 7	YES
Alleged Trade Secret 8	YES
Alleged Trade Secret 9	YES
Alleged Trade Secret 10	YES
Alleged Trade Secret 11	YES
Alleged Trade Secret 12	YES
Alleged Trade Secret 13	YES
Alleged Trade Secret 15	NO
Alleged Trade Secret 16	YES
Alleged Trade Secret 17	NO
Alleged Trade Secret 18	YES
Alleged Trade Secret 19	YES
Alleged Trade Secret 20	NO

(If you answered "YES" as to one or more of the alleged trade secrets, proceed to answer Question 2. If you answered "NO" as to all 19 of the alleged trade secrets, skip to Question 7.)

QUESTION 2: For each alleged trade secret to which you answered "YES" in Question 1, has Zunum established by a preponderance of the evidence that Boeing misappropriated that alleged trade secret?

(Please leave the space blank unless you answered "YES" as to that alleged trade secret in Question 1.)

ALLEGED TRADE SECRET	ANSWER
Alleged Trade Secret 1	YES
Alleged Trade Secret 2	YES
Alleged Trade Secret 3	NO
Alleged Trade Secret 4	NO
Alleged Trade Secret 5	YES
Alleged Trade Secret 6	YES
Alleged Trade Secret 7	YES
Alleged Trade Secret 8	NO
Alleged Trade Secret 9	YES
Alleged Trade Secret 10	YES
Alleged Trade Secret 11	YES
Alleged Trade Secret 12	YES
Alleged Trade Secret 13	YES
Alleged Trade Secret 15	
Alleged Trade Secret 16	NO
Alleged Trade Secret 17	
Alleged Trade Secret 18	NO
Alleged Trade Secret 19	YES
Alleged Trade Secret 20	

(If you answered "YES" as to one or more of the alleged trade secrets, proceed to answer Question 3. If you did not answer "YES" as to any of the alleged trade secrets, skip to Question 7.)

QUESTION 3: For each alleged trade secret to which you answered "YES" in Question 2, has Zunum established by a preponderance of the evidence that Boeing was unjustly enriched as a result of its misappropriation of that alleged trade secret?

(Please leave the space blank unless you answered "YES" as to that alleged trade secret in Question 2.)

ALLEGED TRADE SECRET	ANSWER
Alleged Trade Secret 1	YES
Alleged Trade Secret 2	YES
Alleged Trade Secret 3	
Alleged Trade Secret 4	
Alleged Trade Secret 5	YES
Alleged Trade Secret 6	YES
Alleged Trade Secret 7	YES
Alleged Trade Secret 8	
Alleged Trade Secret 9	YES
Alleged Trade Secret 10	YES
Alleged Trade Secret 11	YES
Alleged Trade Secret 12	YES
Alleged Trade Secret 13	YES
Alleged Trade Secret 15	
Alleged Trade Secret 16	
Alleged Trade Secret 17	
Alleged Trade Secret 18	
Alleged Trade Secret 19	YES
Alleged Trade Secret 20	

(If you answered "YES" as to one or more of the alleged trade secrets, proceed to answer Question 4. If you did not answer "YES" as to any of the alleged trade secrets, skip to Question 5.)

1 **QUESTION 4:** What is the total dollar amount that Zunum has established, by a
2 preponderance of the evidence, Boeing has been unjustly enriched as a result of its
3 misappropriation of Zunum's trade secrets?
4 *(Please write the dollar amount on the line below. This amount should reflect only*
5 *Boeing's unjust enrichment, and not compensation for any harm, loss, or injury Zunum*
6 *suffered.)*

7 \$ 14.15 million
8

9 **QUESTION 5:** What is the total dollar amount of damages that Zunum has established,
10 by a preponderance of the evidence, Zunum is entitled to receive in order to compensate
11 it for the harm, loss, or injury it suffered as a result of Boeing's trade secret
12 misappropriation?
13 *(Please write the dollar amount on the line below. This amount should reflect only*
14 *compensation for any harm, loss, or injury Zunum suffered, and not Boeing's unjust*
15 *enrichment.)*

16 \$ 67.08 million
17

18 **QUESTION 6:** Has Zunum established by a preponderance of the evidence that
19 Boeing's trade secret misappropriation was willful and malicious?
20 *(Please answer "YES" or "NO" on the line below.)*

21 YES
22

BREACH OF CONTRACT

QUESTION 7: Has Zunum established by a preponderance of the evidence that Boeing breached the 2016 Proprietary Information Agreement?

(Please answer "YES" or "NO" on the line below.)

NO

(If you answered "YES" to Question 7, proceed to answer Question 8. If you answered "NO" to Question 7, skip to Question 10.)

QUESTION 8: Has Zunum established by a preponderance of the evidence that it was damaged as a result of Boeing's breach of the 2016 Proprietary Information Agreement?

(Please answer "YES" or "NO" on the line below.)

NO

(If you answered "YES" to Question 8, proceed to answer Question 9. If you answered "NO" to Question 8, skip to Question 10.)

QUESTION 9: What is the total dollar amount of damages that Zunum has established, by a preponderance of the evidence, Boeing owes Zunum for Boeing's breach of the 2016 Proprietary Information Agreement?

(Please write the dollar amount on the line below. If you awarded damages in response to Question 5, the damages you award below must not constitute a double recovery.)

\$

~~XXXXXX~~

1 **QUESTION 10:** Has Zunum established by a preponderance of the evidence that

2 Boeing breached the 2017 Investor Rights Letter?

3 *(Please answer "YES" or "NO" on the line below.)*

4 YES

5 *(If you answered "YES" to Question 10, proceed to answer Question 11. If you*

6 *answered "NO" to Question 10, skip to Question 13.)*

7
8 **QUESTION 11:** Has Zunum established by a preponderance of the evidence that it was

9 damaged as a result of Boeing's breach of the 2017 Investor Rights Letter?

10 *(Please answer "YES" or "NO" on the line below.)*

11 YES

12 *(If you answered "YES" to Question 11, proceed to answer Question 12. If you*

13 *answered "NO" to Question 11, skip to Question 13.)*

14
15 **QUESTION 12:** What is the total dollar amount of damages that Zunum has

16 established, by a preponderance of the evidence, Boeing owes Zunum for Boeing's

17 breach of the 2017 Investor Rights Letter?

18 *(Please write the dollar amount on the line below. If you awarded damages in response*

19 *to Question 5 and/or Question 9, the damages you award below must not constitute a*

20 *double recovery.)*

21 \$ 67.08 million (no double)
22 recovery

TORTIOUS INTERFERENCE

QUESTION 13: Has Zunum established by a preponderance of the evidence that Boeing tortiously interfered with a valid business expectancy Zunum had with Safran and/or Safran's subsidiaries (collectively, "Safran")?

(Please answer "YES" or "NO" on the line below.)

YES

QUESTION 14: Has Zunum established by a preponderance of the evidence that Boeing tortiously interfered with a valid business expectancy Zunum had with United Technologies Aerospace Systems ("UTAS")?

(Please answer "YES" or "NO" on the line below.)

NO

(If you answered "YES" to Question 13 and/or Question 14, proceed to answer Questions 15 and 15(a). If you answered "NO" to both Questions 13 and 14, skip Questions 15 and 15(a).)

1 **QUESTION 15:** What is the total dollar amount of damages that Zunum has
2 established, by a preponderance of the evidence, Boeing owes Zunum for Boeing's
3 tortious interference with Zunum's business expectancies?
4 *(Please write the dollar amount on the line below. If you awarded damages in response*
5 *to Questions 5, 9, and/or 12, the damages you award below must not constitute a double*
6 *recovery.)*

7 \$ 11.56 million
8

9 **QUESTION 15(a):** Please identify the portion of the total amount above that is
10 attributable to the Safran and UTAS expectancies:

11 Safran: \$ 11.56 million

12 UTAS: \$ 0
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FAILURE TO MITIGATE

(If you awarded damages in response to Questions 5, 9, 12, and/or 15, proceed to answer Question 16. If you did not award damages in response to Questions 5, 9, 12, and/or 15, skip Questions 16 and 17, and sign and date this form.)

QUESTION 16: Has Boeing established by a preponderance of the evidence that Zunum failed to use reasonable efforts to mitigate its damages?

(Please answer "YES" or "NO" on the line below.)

YES

(If you answered "YES" to Question 16, proceed to answer Question 17. If you answered "NO" to Question 16, skip Question 17, and sign and date this form.)

QUESTION 17: What is the total dollar amount of damages that Boeing has established, by a preponderance of the evidence, Zunum failed to mitigate?

(Please write the dollar amount on the line below. This amount may not exceed the combined sum you awarded in response to Questions 5, 9, 12, and/or 15.)

\$ 20.82 Million

Please sign and date this verdict form, and notify the courtroom deputy that you have reached a verdict.

Dated this 30 day of MAY, 2024.


PRESIDING JUROR