

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

MARTIN TROTT and CHRISTOPHER
SMITH, as Joint Official Liquidators,

Plaintiffs,

-v-

DAVID BODNER,

Defendant.

18-cv-10936 (JSR)

JURY'S VERDICT

1. On plaintiffs' claim for breach of fiduciary duty, we the jury find the defendant David Bodner:

Liable Not-Liable

[If you find "Not-Liable" on the above claim, leave the other three questions blank. If you find "Liabile," proceed to Question 2.]

2. Having found the defendant liable for fiduciary breach, we the jury find that the March 20, 2016 General Release nonetheless:

Bars Liability Does Not Bar Liability

[If you find "Bars Liability" on the above question, leave Questions 3 and 4 blank. If you find "Does Not Bar Liability," proceed to Questions 3 and 4.]

3. Having found the defendant liable for fiduciary breach and having found that this liability is not barred by the Release, we the jury award plaintiffs the following compensatory damages from defendant Bodner:

\$ 8,150,601.80

4. Please indicate how much of this amount, if any, is for incentive fees based on the 2012 NAV.

\$ 0

May Jane Yours
FOREPERSON

Date: 20 December 2022