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7

FILED

MAR 23 2017 DC

SAN LUIS OBISPO SUPERIOR COURT
BY D. Cloud
D. Cloud, Deputy Clerk

8 SUPERIOR COURT OF THE STATE OF CALIFORNIA
9 COUNTY OF SAN LUIS OBISPO
10 UNLIMITED JURISDICTION
11

12 CHARLES TENBORG, an individual,
13 Plaintiff,
14

15 v.

16 CALCOASTNEWS/UNCOVEREDSLO.COM
LLC, a California corporation d/b/a/
17 CalCoastNews, KAREN VELIE, an individual,
18 DANIEL BLACKBURN, an individual, and
DOES 1-10,
19
20 Defendants.

Case No. CV130237

[ASSIGNED FOR ALL PURPOSES TO:
JUDGE BARRY T. LABARBERA,
DEPARTMENT 2]

~~[PROPOSED]~~ JUDGMENT ON JURY
VERDICT

TRIAL: March 6, 2016
TIME: 10:00 a.m.
DEPT: 2

1 This action came on regularly for trial beginning on March 6, 2017, in Department 2 of
2 the Superior Court of San Luis Obispo County, the Honorable Barry T. LaBarbera presiding.
3 Plaintiff Charles Tenborg appeared by attorneys James M. Wagstaffe and Ivo Labar. Defendants
4 Karen Velie, Daniel Blackburn, and CalCoastNews/UncoveredSLO.com LLC (collectively
5 "Defendants") appeared by attorneys David S. Vogel, Berndt Ingo Brauer, and James Duenow.

6 A jury of persons was regularly impaneled and sworn. Witnesses were sworn and
7 testified. After hearing the evidence and arguments of counsel, the jury was duly instructed by
8 the Court and the cause was submitted to the jury with directions to return a special verdict. The
9 jury deliberated and thereafter returned into court with its verdict on March 16, 2017 as follows:

10 We answer the questions submitted to us as follows:

11 1. Did any of the statements in the November 14, 2012 article on the CalCoastNews
12 website defame Charles Tenborg?

13 Yes No

14 *If your answer to question 1 is yes, then answer question 2. If you answered no, stop*
15 *here, answer no further questions, and have the presiding juror sign and date this form.*

16 2. Did Daniel Blackburn play a responsible role in the publication of any of the
17 statements?

18 Yes No

19 *Regardless of your answer to question 2, answer question 3.*

20 3. Did Defendant Karen Velie fail to use reasonable care to determine the truth or
21 falsity of any of the statements?

22 Yes No

23 *Regardless of your answer to question 3, answer question 4.*

24 4. Did Defendant Daniel Blackburn fail to use reasonable care to determine the truth
25 or falsity of the statements.

26 Yes No

27

28

1 *If your answers to 3 or 4 was yes, answer question 5. If your answer to both questions 3*
2 *and 4 was no, then answer no further questions and have the presiding juror sign and date this*
3 *form.*

4 ACTUAL DAMAGES

5 5. Was Defendants' conduct a substantial factor in causing Charles Tenborg actual
6 harm?

7 Yes No

8 *If your answer to question 5 is yes, then answer question 6. If you answered no, skip*
9 *question 6 and answer question 7.*

10 6. What are Charles Tenborg's actual damages for:

11 a. Harm to Charles Tenborg's reputation? \$ 150,000

12 b. Shame, mortification, or hurt feelings? \$ 150,000

13 *Regardless of your answer to question 6, answer question 7.*

14 PRESUMED DAMAGES

15 7. What are the damages you award Charles Tenborg for the presumed harm to his
16 reputation and for shame, mortification, or hurt feelings? You must award at least a nominal
17 sum.

18 \$ 300,000

19 *Regardless of your answer to question 7, answer question 8.*

20 PUNITIVE DAMAGES

21 8. Did Charles Tenborg prove by clear and convincing evidence that Defendant
22 Karen Velie knew the statements were false or had serious doubts about the truth of the
23 statements?

24 Yes No

25 *If your answer to question 8 is yes, then answer question 9. If you answered no, answer*
26 *no further questions, and have the presiding juror sign and date this form.*

27 9. Did Charles Tenborg prove by clear and convincing evidence that Karen Velie
28 acted with malice, oppression, or fraud?

1 X Yes No

2 *If your answer to question 9 is yes, then answer question 10. If you answered no, answer*
3 *no further questions, and have the presiding juror sign and date this form.*

4 10. What amount, if any, do you award as punitive damages as a result of Karen
5 Velie's conduct?

6 \$ 500,000 .

7 Signed:

8 /s / Theresa Brazil

9 Presiding Juror

10 Dated: 3/16/2017

11

12 After the verdict form has been signed, notify the clerk that you are ready to present your
13 verdict in the courtroom.

14

15 It appearing by reason of said verdict that Plaintiff Charles Tenborg is entitled to
16 judgment against Defendants Karen Velie, Daniel Blackburn, and CalCoastNews/Uncovered
17 SLO.com LLC, NOW, THEREFORE, IT IS ORDERED, ADJUDGED AND DECREED that
18 Plaintiff Charles Tenborg shall recover:

19 1. Jointly and severally from defendants Karen Velie, Daniel Blackburn, and
20 Calcoastnews/UncoveredSLO.com LLC: the sum of \$600,000, with interest thereon at the rate of
21 ten percent (10%) per annum from the date of the entry of this judgment until paid; and

22 2. Jointly and severally from defendants Karen Velie and
23 Calcoastnews/UncoveredSLO.com LLC: the additional sum of \$500,000, with interest thereon at
24 the rate of ten percent (10%) per annum from the date of the entry of this judgment until paid.

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1 The Court will determine at a future date the costs to be awarded to the prevailing party,
2 Charles Tenborg, and this judgment will be amended to include these costs.

3 IT IS SO ORDERED, ADJUDGED, AND DECREED

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5 DATED: May 23 2017

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9 Hon. Barry T. LaBarbera
10 Judge of the Superior Court
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