



09-CV-00056-VRDCT

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

FIRST SOUND BANK, a Washington  
corporation,

Plaintiff,

v.

LARASCO, INC., a Washington corporation;  
LOUIS A. SECORD, JR.; RICHARD A.  
SECORD; LASCOR, LLC, a Washington  
limited liability company; RASCOR LLC, a  
Washington limited liability company,

Defendants.

WELLS FARGO EQUIPMENT FINANCE,  
INC., a Minnesota corporation,

Plaintiff,

v.

LARASCO, INC., a Washington corporation,  
LOUIS A. SECORD, JR., and RICHARD A.  
SECORD,

Defendants.

NO. C09-0056 TSZ

VERDICT

We, the jury, answer the following questions submitted by the Court:

Question No. 1

Do you find in favor of First Sound Bank on its breach of contract claims against Larasco, Inc., Louis Secord, and Richard Secord based on the Asset Purchase Agreement?

Answer: Yes  No

If your answer to Question No. 1 is "Yes," then proceed to Question Nos. 2A and 2B. If your answer to Question No. 1 is "No," then proceed to Question No. 3.

Question No. 2A

What amount of damages do you award to First Sound Bank on its breach of contract claims against Larasco, Inc., Louis Secord, and Richard Secord based on the Asset Purchase Agreement?

Answer: \$ 1,244,751

Question No. 2B

What portion of your answer to Question No. 2A, if any, constituted an award for loss of goodwill?

Answer: \$ Ø

Question No. 3

Do you find in favor of First Sound Bank on its breach of fiduciary duty claim against Louis Secord?

Answer: Yes  No

1           **If your answer to Question No. 3 is "Yes," then proceed to Question Nos. 4A**  
2 **and 4B. If your answer to Question No. 3 is "No," then proceed to Question No. 5.**

3  
4           Question No. 4A

5           What amount of damages do you award to First Sound Bank on its breach of  
6 fiduciary duty claim against Louis Secord?  
7

8           Answer:                 \$ \_\_\_\_\_

9  
10           Question No. 4B

11           What portion of your answer to Question No. 4A, if any, was included in your  
12 award, if any, under First Sound Banks breach of contract claim?  
13

14           Answer:                 \$ \_\_\_\_\_

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16           Question No. 5

17           Do you find in favor of Larasco, Inc., Louis Secord, and Richard Secord on their  
18 breach of contract claims against First Sound Bank based on the Asset Purchase  
19 Agreement?  
20

21           Answer:                 Yes \_\_\_\_\_                 No

22  
23           **If your answer to Question No. 5 is "Yes," then proceed to Question No. 6. If**  
24 **your answer to Question No. 5 is "No," then proceed to Question No. 7.**  
25  
26

1            Question No. 6

2            What amount of damages do you award to Larasco, Inc., Louis Secord, and Richard  
3            Secord on their breach of contract claims against First Sound Bank based on the Asset  
4            Purchase Agreement?

5            Answer:                    \$ \_\_\_\_\_  
6

7  
8            Question No. 7

9            Do you find in favor of Louis Secord on his breach of contract claim against First  
10           Sound Bank based on the Employment Agreement?

11           Answer:                    Yes                     No \_\_\_\_\_  
12

13  
14           **If your answer to Question No. 7 is "Yes," then proceed to Question No. 8. If**  
15           **your answer to Question No. 7 is "No," then proceed to Question No. 9.**

16  
17           Question No. 8

18           What amount of damages do you award to Louis Secord on his breach of contract  
19           claim against First Sound Bank based on the Employment Agreement?

20           Answer:                    \$ 2,077,767  
21

22  
23           Question No. 9

24           Do you find in favor of Richard Secord on his breach of contract claim against First  
25           Sound Bank based on the Consulting Agreement?

26           Answer:                    Yes                     No \_\_\_\_\_

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2 **If your answer to Question No. 9 is "Yes," then proceed to Question No. 10. If**  
3 **your answer to Question No. 9 is "No," then proceed to Question No. 11.**  
4

5  
6 Question No. 10

7 What amount of damages do you award to Richard Secord on his breach of contract  
8 claim against First Sound Bank based on the Consulting Agreement?

9 Answer: \$ 1,483,767

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11 Question No. 11

12 As to Wells Fargo Equipment Finance, Inc.'s breach of contract claims against  
13 Larasco, Inc. based on the Lease Purchase Agreement, do you find that Wells Fargo  
14 Equipment Finance, Inc. proved all of the elements of its claim?  
15

16 Answer: Yes \_\_\_\_\_ No

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18 **If your answer to Question No. 11 is "Yes," then proceed to Question No. 12. If**  
19 **your answer to Question No. 11 is "No," then proceed to Question No. 14.**  
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22 Question No. 12

23 As to Wells Fargo Equipment Finance, Inc.'s breach of contract claims against  
24 Larasco, Inc. based on the Lease Purchase Agreement, do you find that Larasco, Inc. proved  
25 all of the elements of its affirmative defense?  
26

Answer: Yes \_\_\_\_\_ No \_\_\_\_\_

1           **If your answer to Question No. 12 is "No," then proceed to Question No. 13. If**  
2 **your answer to Question No. 12 is "Yes," then proceed to Question No. 14.**

3  
4           Question No. 13

5           What amount of damages do you award to Wells Fargo Equipment Finance, Inc. on  
6 its breach of contract claims against Larasco, Inc.?  
7

8           Answer:                 \$ \_\_\_\_\_

9  
10           Question No. 14

11           Do you find in favor of Wells Fargo Equipment Finance, Inc. on its fraudulent  
12 misrepresentation claims?  
13

14           Answer:

- |    |                         |           |  |
|----|-------------------------|-----------|--|
| 15 | A. As to Larasco, Inc.  | Yes _____ | No <input checked="" type="checkbox"/> |
| 16 | B. As to Louis Secord   | Yes _____ | No <input checked="" type="checkbox"/> |
| 17 | C. As to Richard Secord | Yes _____ | No <input checked="" type="checkbox"/> |

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19           **If your answer to Question No. 14 is "Yes" as to one or more of the defendants,**  
20 **then proceed to Question No. 15. If your answer to Question No. 14 is "No" as to all**  
21 **three of the defendants, then proceed to Question No. 16.**  
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24           Question No. 15

25           What amount of damages do you award to Wells Fargo Equipment Finance, Inc. on  
26 its fraudulent misrepresentation claims?

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Answer: \$ \_\_\_\_\_

Question No. 16

Do you find in favor of Wells Fargo Equipment Finance, Inc. on its claim for indemnification based on personal guaranties?

Answer:

- A. As to Louis Secord Yes \_\_\_\_\_ No
- B. As to Richard Secord Yes \_\_\_\_\_ No

**If your answer to Question No. 16 is “Yes” as to one or more of the defendants, then proceed to Question No. 17. If your answer to Question No. 16 is “No” as to both of the defendants, then proceed to Question No. 18.**

Question No. 17

What amount of damages do you award to Wells Fargo Equipment Finance, Inc. on its claim for indemnification based on personal guaranties? If your answer to Question No. 16 is “No” as to one of the defendants, then for such defendant, fill in “N/A” or “not applicable” in the appropriate blank below.

Answer:

- A. As to Louis Secord \$ \_\_\_\_\_
- B. As to Richard Secord \$ \_\_\_\_\_

1                    Question No. 18

2                    **Answer this question if you awarded any amounts in answer to Question**  
3 **Nos. 2A and 4A. Otherwise, please sign and date the verdict form.**

4                    Do you find in favor of First Sound Bank on its fraudulent transfer claim against  
5 Larasco, Inc., Louis Secord, Richard Secord, Lascor LLC, and Rascor LLC?  
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7                    Answer:                    Yes \_\_\_\_\_ No

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9                    DATED this 3 day of OCTOBER, 2011.

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13                    Presiding Juror