

**Third District Court, Salt Lake County
State of Utah**

USA POWER, LLC; USA
POWER PARTNERS, LLC; and
SPRING CANYON ENERGY,
LLC,

Plaintiffs,

VS.

PACIFICORP; JODY L.
WILLIAMS and HOLME,
ROBERTS & OWN, LLP,

Defendant

SPECIAL VERDICT

CASE NO. 050903412

MEMBERS OF THE JURY:

Please answer all questions based on a preponderance of the evidence unless otherwise indicated.

For purposes of this Verdict Form, all plaintiffs are collectively referred to as "USA Power," defendant PacifiCorp is referred to as "PacifiCorp," and defendant Jody L. Williams and Holme, Roberts & Owen, LLP, are collectively referred to as "Williams/HRO."

We, the jury answer the questions to us, as follows:

TRADE SECRET MISAPPROPRIATION CLAIM

Question No. 1 35, 36, 37, 38

Did PacifiCorp misappropriate a trade secret possessed by USA Power?

Yes X No _____

If you answered "No" to Question No. 1, then please proceed to Question No. 5. Otherwise, please proceed to Question No. 2.

Question No. 2 42

What amount of actual loss, if any, were caused by PacifiCorp's misappropriation of USA Power's trade secret?

\$ 21,399,391

Please proceed to Question No. 3.

Question No. 3

What amount of unjust enrichment, if any, did PacifiCorp receive from PacifiCorp's misappropriation of USA Power's trade secret?

\$ 112,500,000

Please proceed to Question No. 4

Question No. 4 43

Did Plaintiffs prove by clear and convincing evidence that PacifiCorp's trade secret misappropriation was willful and malicious?

Yes X No _____

Please proceed to Question No. 5

BREACH OF CONTRACT CLAIM

Question No. 5 44

Did PacifiCorp breach the Confidentiality and Non-Disclosure Agreement (Exhibit 9)?

Yes No

If you answered "No" to Question No. 5, then please proceed to Question No. 7. Otherwise, please proceed to Question No. 6.

Question No. 6

What amount of damages, if any, were caused by PacifiCorp's breach of contract?

\$ 21,399,391

Please proceed to Question No. 7.

BREACH OF FIDUCIARY DUTY CLAIM

Question No. 7 50

Did Williams/HRO breach any fiduciary duties that they owed to USA Power?

Yes No

If you answered "No" to Question No. 7, then please proceed to Closing Instruction. Otherwise, please proceed to Question No. 8.

Question No. 8

What amount of damages, if any, were caused by Williams/HRO's breach of fiduciary duty?

\$ 21,399,391

Question No. 9

USA Power is not entitled to recover from both defendants more than once for the same harm. If you find that both PacifiCorp and Williams/HRO caused harm to USA Power (excluding any amount awarded for unjust enrichment in Question 3 above), please allocate to each defendant their share of the total damages.

PacifiCorp

\$ 18,189,489.35

Williams/HRO

\$ 3,209,908.65

Question No. 10

For any damages you award against Williams/HRO determine what percentage of fault should be allocated to each party?

Williams/HRO

100 %

USA Power

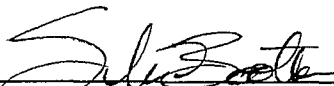
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Please proceed to Closing Instruction.

CLOSING INSTRUCTION

After answering the questions above as instructed, the jury has completed this Special Verdict Form. The jury foreperson should sign the document for return to the Court.

Dated this 21 day of May, 2012.



JURY FOREPERSON