

STATE OF SOUTH CAROLINA
 COUNTY OF _____
 IN THE COURT OF COMMON PLEAS

JUDGMENT IN A _____ CASE

CASE NO 2014 CP- 40- 1886

RECEIVED

JAN 07 2016

SC Court of Appeals

David & Karen Longstreet Ind. and
as Personal Rep of Estate of
Emma Longstreet & Kenneth
 PLAINTIFF(S) Sinchak

Rabit, LLC d/b/a The Loose
Cockaboose & Kelly Whitlock
 DEFENDANT(S)

Submitted by:	Attorney for : <input type="checkbox"/> Plaintiff <input type="checkbox"/> Defendant
	or <input type="checkbox"/> Self-Represented Litigant

DISPOSITION TYPE (CHECK ONE)

- JURY VERDICT.** This action came before the court for a trial by jury. The issues have been tried and a verdict rendered.
- DECISION BY THE COURT.** This action came to trial or hearing before the court. The issues have been tried or heard and a decision rendered.
- ACTION DISMISSED (CHECK REASON):** Rule 12(b), SCRPC; Rule 41(a), SCRPC (Vol. Nonsuit); Rule 43(k), SCRPC (Settled); Other
- ACTION STRICKEN (CHECK REASON):** Rule 40(j), SCRPC; Bankruptcy; Binding arbitration, subject to right to restore to confirm, vacate or modify arbitration award; Other
- DISPOSITION OF APPEAL TO THE CIRCUIT COURT (CHECK APPLICABLE BOX)**
 Affirmed; Reversed; Remanded; Other

2015 OCT 26 AM 10:22
 FILED
 CLERK OF COURT
 JENNIFER W. MCNEIDER
 C.C.P. & O.S.

NOTE: ATTORNEYS ARE RESPONSIBLE FOR NOTIFYING LOWER COURT, TRIBUNAL, OR ADMINISTRATIVE AGENCY OF THE CIRCUIT COURT RULING IN THIS APPEAL.

IT IS ORDERED AND ADJUDGED: See attached order (formal order to follow) Statement of Judgment by the Court:

ORDER INFORMATION

This order ends does not end the case.
 Additional Information for the Clerk :

INFORMATION FOR THE PUBLIC INDEX

Complete this section below when the judgment affects title to real or personal property or if any amount should be enrolled. If there is no judgment information, indicate "N/A" in one of the boxes below.

Judgment in Favor of (List name(s) below)	Judgment Against (List name(s) below)	Judgment Amount To be Enrolled (List amount(s) below)
		\$
		\$
		\$

If applicable, describe the property, including tax map information and address, referenced in the order:

The judgment information above has been provided by the submitting party. Disputes concerning the amounts contained in this form may be addressed by way of motion pursuant to the SC Rules of Civil Procedure. Amounts to be computed such as interest or additional taxable costs not available at the time the form and final order are submitted to the judge may be provided to the clerk. Note: Title abstractors and researchers should refer to the official court order for judgment details.

G. D. King

Circuit Court Judge

2126

Judge Code

10-16-15

Date

For Clerk of Court Office Use Only

This judgment was entered on the 26 day of Oct, 2015 and a copy mailed first class or placed in the appropriate attorney's box on this 26 day of Oct, 2015 to attorneys of record or to parties (when appearing pro se) as follows:

James Fayssoux, Jr.

Paul Landis

Bill Stewart; Butch Bowers

ATTORNEY(S) FOR THE PLAINTIFF(S)

Andrew Watson

Scott Frank

ATTORNEY(S) FOR THE DEFENDANT(S)

CLERK OF COURT

Jeanette W. McBride

Court Reporter:

STATE OF SOUTH CAROLINA)
)
COUNTY OF RICHLAND)

IN THE COURT OF COMMON PLEAS
ELEVENTH JUDICIAL CIRCUIT

David Longstreet and Karen Longstreet,)
Individually and as the Personal)
Representatives of the Estate of Emma)
Longstreet and as the Natural Guardians of)
the minor children, Noah Longstreet,)
Levi Longstreet, Micah Longstreet and)
Kenneth M. Sinchak,)

C. A. FILE NO.: 2014-CP-4051886 **RECEIVED**

JAN 07 2016

VERDICT FORM SC Court of Appeals

Plaintiffs,)

vs.)

Rabit, LLC d/b/a The Loose Cockaboose,)
and Kelly Whitlock,)

Defendants.)

FILED
2016 OCT 25 11:10:22
JANETTE W. MCBRIDE
C.C.P. & C.S.

1. (a) Do you find that Defendant Rabit, LLC d/b/a The Loose Cockaboose was negligent?
 Yes No
- (b) Do you find that Defendant Rabit, LLC d/b/a The Loose Cockaboose was negligent per se?
 Yes No
- (c) Do you find that Defendant Kelly Whitlock was negligent?
 Yes No
- (d) Do you find that Defendant Kelly Whitlock was negligent per se?
 Yes No

If you answered "Yes" in any part of question 1, then answer question 2. If you answer "No" to all parts of question 1, stop your deliberations and sign the verdict form.

2. For each defendant that received a "Yes" in question 1, answer the following:

(a) Was Defendant Rabbit, LLC d/b/a The Loose Cockaboose's negligence a proximate cause of the injuries and death at issue in this case?

Yes No

(b) Was Defendant Rabbit, LLC d/b/a The Loose Cockaboose's negligence per se a proximate cause of the injuries and death at issue in this case?

Yes No

(c) Was Defendant Kelly Whitlock's negligence a proximate cause of the injuries and death at issue in this case?

Yes No

(d) Was Defendant Kelly Whitlock's negligence per se a proximate cause of the injuries and death at issue in this case?

Yes No

If you answered "Yes" to any part of question 2, then answer questions 3 and 4. If you answered "No" to all parts of question 2, stop your deliberations and sign the verdict form.

3. Do you find that the actions of Defendant Rabbit, LLC d/b/a The Loose Cockaboose were willful, wanton, malicious, or in reckless disregard of the Plaintiffs' rights?

Yes No

Do you find that the actions of Defendant Kelly Whitlock were willful, wanton, malicious, or in reckless disregard of the Plaintiffs' rights?

Yes No

Continue to question 4.

4. Please state the amount of damages of Plaintiffs.

Plaintiffs David and Karen Longstreet on the wrongful death action that they bring as the personal representatives of the Estate of Emma Longstreet \$ 3,000,000.00

Plaintiff David Longstreet for his actual damages \$ 350,000.00

Plaintiff Karen Longstreet for her actual damages \$ 125,000.00

Plaintiff Noah Longstreet for his actual damages \$ 100,000.00

Plaintiff Levi Longstreet for his actual damages \$ 100,000.00

Plaintiff Micah Longstreet for his actual damages \$ 100,000.00

Plaintiff Kenneth Sinchak for his actual damages \$ 75,000.00

THIS IS OUR VERDICT:

James Wilson
Foreperson

October 16, 2015