

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION  
3:12-cv-00510-MOC-DSC

FILED  
CHARLOTTE, NC

FEB 27 2014

US DISTRICT COURT  
WESTERN DISTRICT OF NC

CLARK MATERIAL HANDLING COMPANY, )  
)  
Plaintiff, )  
v. )  
)  
TOYOTA MATERIAL HANDLING U.S.A., INC., )  
)  
Defendant. )

VERDICT

ISSUES

1. Did Toyota wrongfully interfere with a contract right between Clark and Southeast Industrial Equipment ("SIE")?

Yes  No

2. Did Toyota wrongfully interfere with a prospective economic advantage attained by Clark in its contract with SIE?

Yes  No

3. Did Toyota coerce SIE into terminating its dealer relationship with Clark, and to thereby stop purchasing forklifts manufactured by Clark?

Yes  No

4(a). Did Toyota unlawfully coerce SIE into ending its relationship with Clark by threatening to terminate Southeast's Toyota dealership in Virginia?

Yes  No

4(b). Did Toyota unlawfully coerce SIE into ending its relationship with Clark by unfairly demanding that SIE issue a retraction or denial of the ForkLift Action article in which it was reported that SIE had become a Clark dealer?

Yes  No

4(c). If you answered 4(a) and/or 4(b) "yes," was the conduct that resulted in either finding a proximate cause of damage to Clark's business?

Yes  No

Only answer Issue 5 if you answered Issues 1, 2, 3, and/or 4(c) "yes." If not, stop here and return your verdict.

5. In what amount has the business of Clark been injured by Toyota's conduct?

\$3,040,090<sup>00</sup>

