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DISTRICT COURT, CITY AND COUNTY OF DENVER, STATE OF COLORADO

1437 Bannock Street

Denver, Colorado 80202

DATE FILED: April 13, 2022 5:15 PM CASE NUMBER: 2020CV30751

Plaintiff: GT Resources, LLC

▲ COURT USE ONLY ▲

v.

Defendants: Black Hills Corporation, Black Hills Exploration & Production, Inc., and Black Hills Gas

Resources, Inc.

Case Number: 2020CV30751

Courtroom: 424

SPECIAL VERDICT FORM PLAINTIFF'S CLAIM OF BREACH OF IMPLIED DUTY OF GOOD FAITH AND FAIR DEALING AGAINST DEFENDANT BLACK HILLS GAS RESOURCES

You are instructed to answer the following questions. You must apply the law in the instructions that the Court gave you to the facts that were proved by the evidence. You must all agree on your answer to each question and you must all sign the completed form on the signature lines.

We, the jury, present our Answers to Questions submitted by the Court, to which we have all agreed:

PLAINTIFF'S CLAIM

QUESTION 1: Has Plaintiff proven by a preponderance of the evidence each of the two elements of its claim for breach of the implied duty of good faith and fair dealing?

Answer (circle one):

YES

NO

If you answered "NO" to Question 1, please sign this Verdict Form and do not answer the remaining questions.

If you answered "YES" to Question 1, please proceed to Questions 2 and 3.

AFFIRMATIVE DEFENSES

QUESTION 2: Has Defendant Black Hills Gas Resources proven by a preponderance of the evidence the affirmative defense of waiver?

Answer (circle one):

YES



QUESTION 3: Has Defendant Black Hills Gas Resources proven by a preponderance of the evidence the affirmative defense of laches?

Answer (circle one):

YES

NO

If you answered "YES" to Question 2 or 3, please sign this Verdict Form and do not answer Question 4.

If you answered "NO" to Questions 2 and 3, please proceed to Question 4.

DAMAGES

QUESTION 4: What is the total amount of general or nominal damages that were caused by Defendant Black Hill Gas Resources' breach of the implied duty of good faith and fair dealing?

Answer:

AFTER ANSWERING THE FOREGOING QUESTIONS, ALL JURORS MUST SIGN

Foreperson

Judith L. Selton

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SPECIAL VERDICT FORM PLAINTIFF'S CLAIM OF INTENTIONAL INTERFERENCE WITH PROSPECTIVE BUSINESS ADVANTAGE AGAINST BLACK HILLS EXPLORATION & **PRODUCTION**

You are instructed to answer the following questions. You must apply the law in the instructions that the Court gave you to the facts that were proved by the evidence. You must all agree on your answer to each question and you must all sign the completed form on the

We, the jury, present our Answers to Questions submitted by the Court, to which we have all agreed:

PLAINTIFF'S CLAIM

QUESTION 1: Has Plaintiff proven by a preponderance of the evidence all of the four elements of its claim intentional interference with prospective business advantage against Defendant Black Hills Exploration & Production?

Answer (circle one):

YES

NO

If you answered "NO" to Question 1, please sign this Verdict Form and do not answer the remaining questions.

If you answered "YES" to Question 1, please proceed to Questions 2, 3, and 4.

AFFIRMATIVE DEFENSES

QUESTION 2: Has Defended preponderance of the evidence the affirm.	lant Black Hills Exploration & Production ative defense of waiver?	ction proven by a		
Answer (circle one):	YES NO			
QUESTION 3: Has Defend preponderance of the evidence the affirmation	ant Black Hills Exploration & Productive defense of laches?	tion proven by a		
Answer (circle one):	YES NO			
QUESTION 4: Has Defended preponderance of the evidence the affirmation limitations?	ant Black Hills Exploration & Productive defense of the expiration of the st	tion proven by a ratute of		
Answer (circle one):	YES NO			
If you answered "YES" to Question answer Question 5.	12, 3, or 4, please sign this Verdict Fo	orm and do not		
If you answered "NO" to Questions	2, 3, and 4, please proceed to Question	on 5.		
<u>DAMAGES</u>				
QUESTION 5: What is the to caused by Defendant Black Hills Exploration prospective business advantage?	otal amount of general or nominal dan on & Production's intentional interfere	nages that were ence with		
Answer:	s			
AFTER ANSWERING THE FOREGO BELOW. Foreperson Judich L. Sexton	Mari was	S MUST SIGN		



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SPECIAL VERDICT FORM PLAINTIFF'S CLAIM OF INTENTIONAL INTERFERENCE WITH PROSPECTIVE BUSINESS ADVANTAGE AGAINST BLACK HILLS CORPORATION

You are instructed to answer the following questions. You must apply the law in the instructions that the Court gave you to the facts that were proved by the evidence. You must all agree on your answer to each question and you must all sign the completed form on the signature lines.

We, the jury, present our Answers to Questions submitted by the Court, to which we have all agreed:

PLAINTIFF'S CLAIM

QUESTION 1: Has Plaintiff proven by a preponderance of the evidence all of the four elements of its claim intentional interference with prospective business advantage against Defendant Black Hills Corporation?

Answer (circle one):

YES

NO

If you answered "NO" to Question 1, please sign this Verdict Form and do not answer the remaining questions.

If you answered "YES" to Question 1, please proceed to Questions 2, 3, and 4.

AFFIRMATIVE DEFENSES

of the evidence the affirmative defense of waiver	k Hills Corporatio	on proven by a preponderance	
Answer (circle one):	YES C	10	
QUESTION 3: Has Defendant Blacof the evidence the affirmative defense of laches?	k Hills Corporatio	n proven by a preponderance	
Answer (circle one):	YES N	10	
QUESTION 4: Has Defendant Black of the evidence the affirmative defense of the exp	k Hills Corporation ration of the statut	n proven by a preponderance e of limitations?	
Answer (circle one):	YES N	10)	
If you answered "YES" to Question 2, 3, of answer Question 5.	4, please sign this	s Verdict Form and do not	
If you answered "NO" to Questions 2, 3, a	nd 4, please procee	ed to Question 5.	
<u>DAMAGES</u>			
caused by Defendant Black Hills Corporation's in	ount of general or i	nominal damages that were	
business advantage?	entional interferen	ce with prospective	
business advantage? Answer:	entional interferen	ce with prospective	
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