

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 v. Defendants: Black Hills Corporation, Black Hills Exploration & Production, Inc., and Black Hills Gas Resources, Inc.	▲ COURT USE ONLY ▲ 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 NO

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:

\$ 8,000,000

AFTER ANSWERING THE FOREGOING QUESTIONS, ALL JURORS MUST SIGN BELOW.

Foreperson

Judith L. Sexton

[Signature]

[Signature]

[Signature]

[Signature]

ORIGINAL

DISTRICT COURT, CITY AND COUNTY OF DENVER,
STATE OF COLORADO
1437 Bannock Street
Denver, Colorado 80202

Plaintiff: GT Resources, LLC

v.

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

▲ COURT USE ONLY ▲

Case Number: 2020CV30751

Courtroom: 424

**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 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 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 Defendant Black Hills Exploration & Production proven by a preponderance of the evidence the affirmative defense of waiver?

Answer (circle one): YES NO

QUESTION 3: Has Defendant Black Hills Exploration & Production proven by a preponderance of the evidence the affirmative defense of laches?

Answer (circle one): YES NO

QUESTION 4: Has Defendant Black Hills Exploration & Production proven by a preponderance of the evidence the affirmative defense of the expiration of the statute of limitations?

Answer (circle one): YES NO

If you answered "YES" to Question 2, 3, or 4, please sign this Verdict Form and do not answer Question 5.

If you answered "NO" to Questions 2, 3, and 4, please proceed to Question 5.

DAMAGES

QUESTION 5: What is the total amount of general or nominal damages that were caused by Defendant Black Hills Exploration & Production's intentional interference with prospective business advantage?

Answer: \$ 1

AFTER ANSWERING THE FOREGOING QUESTIONS, ALL JURORS MUST SIGN BELOW.

Foreperson
Judith L. Sexton
Kari
[Handwritten signatures]

ORIGINAL

DISTRICT COURT, CITY AND COUNTY OF DENVER, STATE OF COLORADO 1437 Bannock Street Denver, Colorado 80202	▲ COURT USE ONLY ▲
Plaintiff: GT Resources, LLC 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 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

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

Answer (circle one):

YES

NO

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

Answer (circle one):

YES

NO

QUESTION 4: Has Defendant Black Hills Corporation proven by a preponderance of the evidence the affirmative defense of the expiration of the statute of limitations?

Answer (circle one):

YES

NO

If you answered "YES" to Question 2, 3, or 4, please sign this Verdict Form and do not answer Question 5.

If you answered "NO" to Questions 2, 3, and 4, please proceed to Question 5.

DAMAGES

QUESTION 5: What is the total amount of general or nominal damages that were caused by Defendant Black Hills Corporation's intentional interference with prospective business advantage?

Answer:

\$ 33,000,000

AFTER ANSWERING THE FOREGOING QUESTIONS, ALL JURORS MUST SIGN BELOW.



Foreperson



Judith L. Sexton








