

IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF MONTANA

MISSOULA DIVISION

UNITED STATES OF AMERICA,)	CR 05-07-M-DWM
A Commence of the Commence of)	
Plaintiff,)	
)	
VS.)	VERDICT FORM AS TO
)	DEFENDANT W.R. GRACE
W. R. GRACE, HENRY A.)	
ESCHENBACH, JACK W. WOLTER,)	
ROBERT J. BETTACCHI, O. MARIO)	
FAVORITO,)	
)	
Defendants.)	
,)	

We the jury, in the above-entitled cause, unanimously find the following with respect to the charges against Defendant W.R. GRACE:

Count I

1.	As to Count I of the Superseding Indictment, alleging conspiracy, we
unani	imously find the Defendant W.R. GRACE:
	Not guilty Guilty
	If you find W.R. GRACE not guilty as to Count I, proceed to Count II. If
you f	ind W.R. GRACE guilty as to Count I, complete Questions 2 and 3:
2.	We the jury unanimously find that W.R. GRACE was a member of a
consp	piracy with the following illegal object(s) (choose one):
	defrauding the United States.
	knowingly releasing or causing to be released into the ambient air
	a hazardous air pollutant, namely asbestos, and at the time knowingly place
	persons in imminent danger of death or serious bodily injury.
	defrauding the United States AND knowingly releasing or
	causing to be released into the ambient air a hazardous air pollutant, namely
	asbestos, and at the time knowingly place persons in imminent danger of
	death or serious bodily injury.
3.	We the jury unanimously find that the Defendant W.R. GRACE was a
meml	per of the conspiracy when the following overt acts were committed in
furthe	erance of the illegal object(s) of the conspiracy after November 3, 1999

Defrauding object	overt act(s) (i	f applicable):		
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<u> </u>				
		-	-	
Knowingly releasi	ng object over	t act(s) (if app	olicable):	
				
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Count II

As to Count II of the Superseding In	dictment, we the jury unanimously find
the Defendant W.R. GRACE:	
Not guilty	Guilty

Count III

As to Count III of the Supe	rseding Indictment, we the jury unanimously find
the Defendant W.R. GRACE:	
Not guilty	Guilty

Count IV

As to Count IV of the Superseding In	ndictment, we the jury unanimously find
the Defendant W.R. GRACE:	
Not guilty	Guilty

Count V

As to Count V of the Superseding	Indictment, we the jury unanimously find
the Defendant W.R. GRACE:	
Not guilty	Guilty

Count VI

As to Cou	nt VI of the Su	uperseding Indi	ctment, we th	e jury unani	mously find
the Defendant W	.R. GRACE:				
Not guilty		•	Guilty		
If you find	l W.R. GRAC	E not guilty at t	to Count VI, p	proceed to C	ount VII. If
you find W.R. G	RACE guilty a	as to Count VI,	identify the s	tatement(s)	made by
W.R. GRACE th	at you unanim	nously find to h	ave been false	and mislead	ding so as
to satisfy all of th	ne elements of	Count VI:		·	
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COUNT VII

As to Count VII of the Supers	eding Indictment, we the jury unanimously
find the Defendant W.R. GRACE:	
Not guilty	Guilty

COUNT VIII

As to Count VIII of the Superseding Indictment, we the jury unanimously
find the Defendant W.R. GRACE:
Not guilty Guilty
If you find W.R. GRACE not guilty at to Count VIII, you have completed
this Verdict Form and your Foreperson should sign and date the last page. If you
find W.R. GRACE guilty as to Count VIII, identify the statement(s) made by W.R.
GRACE that you unanimously find to have been false and misleading so as to
satisfy all of the elements of Count VIII:
DATED this Stage day of May, 2009 at 8:44 (a.m)/p.m.
FOREPERSON