

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF INDIANA
HAMMOND DIVISION AT LAFAYETTE

FILED
OPEN COURT

JUL - 6 2005

Cook Biotech Incorporated
and Purdue Research Foundation,

Plaintiffs,

v.

ACell, Incorporated,
Stephen F. Badylak, and
Alan R. Spievack

Defendants.

AT _____ M
STEPHEN R. LUDWIG, Clerk
U.S. DISTRICT COURT
NORTHERN DISTRICT OF INDIANA

4:03-CV-0046

VERDICT

The jury should consider the following questions and must be unanimous in the answers to each relevant question.

(1) Infringement Issue:

Have plaintiffs proved by a preponderance of the evidence that ACell Vet™, the commercial product of ACell, Inc., contains any submucosa?

Yes ___ No

(2) Inducement Issue:

Do not answer any part of question 2 if you have answered "No" to question 1.

(a) Have plaintiffs proved by a preponderance of the evidence that Dr. Badylak induced infringement of the '389 patent by ACell, Inc.?

Yes ___ No

(b) Have plaintiffs proved by a preponderance of the evidence that Dr. Spievack induced infringement of the '389 patent by ACell, Inc.?

Yes No

(3) Willful Infringement Issue:

Do not answer any part of question 3 if you have answered "No" to question 1.

(a) Have plaintiffs proved by clear and convincing evidence that ACell, Inc. willfully infringed the '389 patent?

Yes No

If you have answered "No" to Question 2(a) do not answer question 3(b).

(b) Have plaintiffs proved by clear and convincing evidence that Dr. Badylak willfully infringed the '389 patent?

Yes No

If you have answered "No" to Question 2(b) do not answer question 3(c).

(c) Have plaintiffs proved by clear and convincing evidence that Dr. Spievack willfully infringed the '389 patent?

Yes No

DATED: July 6, 2005

Neal Press

FOREPERSON

Patricia D. Polfer

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Connie Vogt

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Juan Cant

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Jacqueline Baker

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