

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS
EASTERN DIVISION

DIOMED, INC.,
Plaintiff,

v.

ANGIODYMANICS, INC., and
VASCULAR SOLUTIONS, INC.,
Defendants.

Civil Action
No. 04-10019-NMG

VERDICT FORM

Question 1: Do you find, by a preponderance of the evidence, that the defendant, **AngioDynamics**, induced infringement of the '777 patent of the plaintiff, **Diomed**?

Answer: Yes No

Question 2: Do you find, by a preponderance of the evidence, that the defendant, **AngioDynamics**, contributorily infringed the '777 patent of the plaintiff, **Diomed**?

Answer: Yes No

IF YOU ANSWER EITHER QUESTION 1 OR QUESTION 2 "YES", PROCEED TO QUESTIONS 3 AND 4; IF YOU ANSWER BOTH QUESTIONS 1 AND 2 "NO", PROCEED TO QUESTION 5.

Question 3: Indicate the amount of damages, if any, that you find **Diomed** has proven, by a preponderance of the evidence, to have suffered as a result of the infringement of defendant **AngioDynamics**:

Eight million three hundred Sixty thousand Dollars
(Words)
8,360,000.00
(Numbers)

Question 4: Do you find, by clear and convincing evidence, that such infringement by **AngioDynamics** was willful?

Answer: Yes _____ No

Question 5: Do you find, by a preponderance of the evidence, that the defendant, **Vascular Solutions**, induced infringement of the '777 patent of the plaintiff, **Diomed**?

Answer: Yes No _____

Question 6: Do you find, by a preponderance of the evidence, that the defendant, **Vascular Solutions**, contributorily infringed the '777 patent of the plaintiff, **Diomed**?

Answer: Yes No _____

IF YOU ANSWER EITHER QUESTION 5 OR QUESTION 6 "YES", PROCEED TO QUESTIONS 7 AND 8; IF YOU ANSWER BOTH QUESTIONS 5 AND 6 "NO", YOUR DELIBERATIONS ARE COMPLETE.

Question 7: Indicate the amount of damages, if any, that you find **Diomed** has proven, by a preponderance of the evidence, to have suffered as a result of the infringement of defendant **Vascular Solutions**:

Four million one hundred Thousand Dollars
(Words)

4,100,000.00
(Numbers)

Question 8: Do you find, by clear and convincing evidence, that such infringement by **Vascular Solutions** was willful?

Answer: Yes _____ No

YOUR DELIBERATIONS ARE COMPLETE. THE FOREPERSON WILL SIGN THE VERDICT FORM AND NOTIFY THE MARSHAL IN WRITING THAT THE JURY HAS COME TO A DECISION BUT **DO NOT REVEAL YOUR VERDICT TO THE MARSHAL.** THE JURY WILL THEN BE INVITED TO THE COURTROOM TO RETURN ITS VERDICT.

3/28/07 2 PM
Date

Carolyn E. Arnold
Foreperson