

IN THE CIRCUIT COURT OF THE 11TH
JUDICIAL CIRCUIT, IN AND FOR
MIAMI-DADE COUNTY, FLORIDA

CIRCUIT CIVIL DIVISION
CASE NO. 12-10403 CA 32

ISTAVN PENCZ, EUGENIU POPA,
and others similarly situated,

Plaintiffs,

vs.

HEAVENLY SPIRITS, INC., a
Foreign Corporation, d/b/a Enso and
NAIRI KAZUMYAN, individually,

Defendants.

VERDICT FORM FOR PLAINTIFF EUGENIU POPA

Do you find by the greater weight of the evidence:

1. Do you find that HEAVENLY SPIRITS does not have to pay overtime wages to
EUGENIU POPA because he was exempt under the FLSA as a commissioned employee?

Answer:

Yes ~~____~~

D.R.

No ____ ✓

If your answer is "Yes," you have determined EUGENIU POPA is not entitled to
overtime wages and you need not answer question 2 pertaining to overtime pay, but you
will need to answer the remaining questions.

2. That HEAVENLY SPIRITS, INC. failed to pay EUGENIU POPA the overtime
wages required by law?

Answer:

Yes ____ ✓

No ____

If your answer is "Yes," what are the overtime wages EUGENIU POPA is entitled to? \$ 1,691.58.

3. That HEAVENLY SPIRITS, INC. failed to pay EUGENIU POPA the minimum wages required by law?

Answer: Yes No

If your answer is "Yes," what are the minimum wage damages EUGENIU POPA is entitled to? \$ 19,034.12.

4. That HEAVENLY SPIRITS, INC. unlawfully retaliated against EUGENIU POPA by filing a Counterclaim?

Answer: Yes No

If your answer is "No," skip question number 5, and proceed to question number 6. If your answer is "Yes", proceed to question number 5.

5. That EUGENIU POPA should be awarded damages to compensate for emotional pain and mental anguish experienced in the past or to be experienced in the future?

Answer: Yes No

If your answer is "Yes,"

In what amount? \$ 7,999.99

6. That HEAVENLY SPIRITS, INC. knew or showed reckless disregard for whether the FLSA prohibited its conduct?

Answer: Yes No

SO SAY WE ALL.

[Signature]
Foreperson
6-30-16
Date

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Defendants.

VERDICT FORM FOR PLAINTIFF ISTVAN PENCZ

Do you find by the greater weight of the evidence:

1. Do you find that HEAVENLY SPIRITS does not have to pay overtime wages to
ISTVAN PENCZ because he was exempt under the FLSA as a commissioned employee?

Answer:

Yes ~~____~~

No ____ ✓

If your answer is "Yes," you have determined ISTVAN PENCZ is not entitled to
overtime wages and you need not answer question 2 pertaining to overtime pay, but you
will need to answer the remaining questions.

2. That HEAVENLY SPIRITS, INC. failed to pay ISTVAN PENCZ the overtime
wages required by law?

Answer:

Yes ____ ✓

No ____

If your answer is "Yes," what are the overtime wages ISTVAN PENCZ is entitled

to? \$ 2,982.

3. That HEAVENLY SPIRITS, INC. failed to pay ISTVAN PENCZ the minimum wages required by law?

Answer: Yes No

If your answer is "Yes," what are the minimum wage damages ISTVAN PENCZ is entitled to? \$ 11,722.80

4. That HEAVENLY SPIRITS, INC. unlawfully retaliated against ISTVAN PENCZ by filing a Counterclaim?

Answer: Yes No

If your answer is "No," skip question number 5, and proceed to question number 6. If your answer is "Yes," proceed to question number 5:

5. That ISTVAN PENCZ should be awarded damages to compensate for emotional pain and mental anguish experienced in the past or to be experienced in the future?

Answer: Yes No

If your answer is "Yes,"

In what amount? \$ 7,999.99

6. That HEAVENLY SPIRITS, INC. knew or showed reckless disregard for whether the FLSA prohibited its conduct?

Answer: Yes No

SO SAY WE ALL.

D/No
Foreperson
6-30-16
Date