

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

**BERKLEY INSURANCE CO., et al.,**

*Plaintiffs,*

v.

**FEDERAL HOUSING FINANCE  
AGENCY, et al.,**

*Defendants.*

**Case No. 1:13-cv-1053-RCL**

**In re Fannie Mae/Freddie Mac Senior  
Preferred Stock Purchase Agreement Class  
Action Litigations**

**Case No. 1:13-mc-1288-RCL**

This document relates to:  
ALL CASES

CLASS ACTION

VERDICT FORM

**Question No. 1:**

Did the Plaintiffs prove by a preponderance of the evidence that FHFA, in its role as the Conservator of Fannie Mae and Freddie Mac, acted arbitrarily or unreasonably in entering into the Net Worth Sweep, thereby violating the reasonable expectations of holders of Fannie Mae junior preferred stock, Freddie Mac junior preferred stock, and/or Freddie Mac common stock?

- Fannie Mae junior preferred stock: Yes  No
- Freddie Mac junior preferred stock: Yes  No
- Freddie Mac common stock: Yes  No

*If your answer to Question 1 is "Yes" for any group of shareholders, continue to Question 2, but only for the group(s) of Plaintiffs as to whom you answered "Yes". If your answer to Question 1 is "No" for all three groups of shareholders, skip all other questions and have the foreperson sign and date the verdict form.*

**Question No. 2:**

Did the Plaintiffs prove by a preponderance of the evidence that the Fannie Mae junior preferred shareholders, the Freddie Mac junior preferred shareholders, and/or the Freddie Mac common shareholders sustained harm as a result of the Net Worth Sweep?

- Fannie Mae junior preferred shareholders: Yes  No
- Freddie Mac junior preferred shareholders: Yes  No
- Freddie Mac common shareholders: Yes  No

*If your answer to any subpart of Question 2 is "Yes," proceed to Question 3, but only for the group(s) of Plaintiffs as to whom you answered "Yes." If your answer to all of the subparts of Question 2 is "No," skip all other questions and have the foreperson sign and date the verdict form.*

**Question No. 3:**

Enter the amount of damages (monetary compensation), if any, that you find each group of Plaintiffs listed below has proven to a reasonable certainty. Please answer in dollars and cents or state "None."

- Fannie Mae junior preferred shareholders: \$ 299.4 M
- Freddie Mac junior preferred shareholders: \$ 281.8 M
- Freddie Mac common shareholders: \$ 31.2 M

*If you award damages to the Freddie Mac junior preferred shareholders or the Freddie Mac common shareholders in Question 3, proceed to Question 4. If you did not award damages to the Freddie Mac junior preferred shareholders or the Freddie Mac common shareholders, skip all other questions and have the foreperson sign and date the verdict form.*

**Question No. 4**

Do you award prejudgment interest on any damages you awarded Freddie Mac common and junior preferred shareholders?

Yes \_\_\_\_\_  
No \_\_\_\_\_ ✓

*If you answered "YES," go to Question #5. If you answered "No," skip Question 5 and have the foreperson sign and date the verdict form.*

**Question No. 5**

On what date do you find that prejudgment interest should begin?

\_\_\_\_\_

*Your deliberations are now concluded. Sign and date the verdict form and notify the courtroom deputy that you have reached a verdict.*

Date: 8/14/23

Jury Foreperson