

IN THE CIRCUIT COURT OF THE THIRTEENTH JUDICIAL CIRCUIT  
OF THE STATE OF FLORIDA, IN AND FOR HILLSBOROUGH COUNTY  
CIVIL DIVISION

TODD SCHNITT and MICHELLE SCHNITT,

Plaintiffs,

v.

CASE NO.: 08-05738

BUBBA RADIO NETWORK, INC.  
and BUBBA CLEM,

Defendants.

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VERDICT FORM

We the jury return the following verdict:

1. Do you find by the greater weight of the evidence that the following statements by Defendants against Plaintiff Todd Schnitt constitute defamation, and by clear and convincing evidence that Defendants knew the statements were false or had serious doubts as to their truth?

	As to Defendant Bubba Clem		As to Defendant Bubba Radio Network	
A. "he was one of the top four or five people behind our arrest in the trial of the hog deal."	_____ YES	_____ NO <input checked="" type="checkbox"/>	_____ YES	_____ NO <input checked="" type="checkbox"/>
B. "When he gets indicted on federal racketeering charges, my friend, which we are working on right now, it's over. It's over my friend. He rigged a national contest to let someone win a contest over the air."	_____ YES	_____ NO <input checked="" type="checkbox"/>	_____ YES	_____ NO <input checked="" type="checkbox"/>
C. "rigged one of your Mangle Mouth contest" and "They didn't have a fair shot."	_____ YES	_____ NO <input checked="" type="checkbox"/>	_____ YES	_____ NO <input checked="" type="checkbox"/>

- |  | <b>As to<br/>Defendant<br/>Bubba Clem</b>                       | <b>As to<br/>Defendant<br/>Bubba Radio<br/>Network</b>          |
|--|---|---|
| D. "The bottom line is that the thousands and thousands of people that entered the Mangle Mouth contest hoping to win, there was already a backdoor, shady-ass deal cut ...."  | <u>          </u><br>YES <input checked="" type="checkbox"/> NO | <u>          </u><br>YES <input checked="" type="checkbox"/> NO |
| E. Defendant Bubba Clem: "I just wanted to say that I think that your ... but anyway, back into, back into, you know, this plugola and payola, do you think that he does that sort of thing, you know, like for instance, somebody told me to ask you about Comp USA. They think that the Comp, that he may have gotten a whole bunch of considerations from Comp USA." Jabberjaw: "I mean there's no doubt in my mind he's doing stuff like that. Even with the newest, his newest Corvette." | <u>          </u><br>YES <input checked="" type="checkbox"/> NO | <u>          </u><br>YES <input checked="" type="checkbox"/> NO |
| F. Jabberjaw: "Also, a very, very, very reliable source told me even stuff with the Arbitron books with that stuff being fixed, so I would check into that also. And that's not, you know, that's I don't know that to be a fact, I just know from a very reliable source that they said that has happened in the past." Mr. Clem: "Well, that he has, well, but now that's a huge problem."   | <u>          </u><br>YES <input checked="" type="checkbox"/> NO | <u>          </u><br>YES <input checked="" type="checkbox"/> NO |
| G. "MJ went to the management and says, I will not work with this guy and you need to fire him. And he positioned, he put Clear Channel, he, you know, plotted against BJ and they had to get rid of BJ."  | <u>          </u><br>YES <input checked="" type="checkbox"/> NO | <u>          </u><br>YES <input checked="" type="checkbox"/> NO |

Proceed to Question 2.

2. Do you find by the greater weight of the evidence that the following statements by Defendants against Plaintiff Todd Schnitt constitute defamation by implication, and by clear and convincing evidence that Defendants knew the impressions were false or had serious doubts as to their truth?

	As to Defendant Bubba Clem		As to Defendant Bubba Radio Network	
A. "he was one of the top four or five people behind our arrest in the trial of the hog deal."	_____ YES	_____ NO ✓	_____ YES	_____ NO ✓
B. "When he gets indicted on federal racketeering charges, my friend, which we are working on right now, it's over. It's over my friend. He rigged a national contest to let someone win a contest over the air."	_____ YES	_____ NO ✓	_____ YES	_____ NO ✓
C. "rigged one of your Mangle Mouth contest" and "They didn't have a fair shot."	_____ YES	_____ NO ✓	_____ YES	_____ NO ✓
D. "The bottom line is that the thousands and thousands of people that entered the Mangle Mouth contest hoping to win, there was already a backdoor, shady-ass deal cut ...."	_____ YES	_____ NO ✓	_____ YES	_____ NO ✓
E. Defendant Bubba Clem: "I just wanted to say that I think that your ... but anyway, back into, back into, you know, this plugola and payola, do you think that he does that sort of thing, you know, like for instance, somebody told me to ask you about Comp USA. They think that the Comp, that he may have gotten a whole bunch of considerations from Comp USA." Jabberjaw: "I mean there's no doubt in my mind he's doing stuff like that. Even with the newest, his newest Corvette."	_____ YES	_____ NO ✓	_____ YES	_____ NO ✓

	<b>As to Defendant Bubba Clem</b>	<b>As to Defendant Bubba Radio Network</b>
<p>F. Jabberjaw: "Also, a very, very, very reliable source told me even stuff with the Arbitron books with that stuff being fixed, so I would check into that also. And that's not, you know, that's I don't know that to be a fact, I just know from a very reliable source that they said that has happened in the past." Mr. Clem: "Well, that he has, well, but now that's a huge problem."</p>	<p>_____ YES    NO <input checked="" type="checkbox"/></p>	<p>_____ YES    NO <input checked="" type="checkbox"/></p>
<p>G. "MJ went to the management and says, I will not work with this guy and you need to fire him. And he positioned, he put Clear Channel, he, you know, plotted against BJ and they had to get rid of BJ."</p>	<p>_____ YES    NO <input checked="" type="checkbox"/></p>	<p>_____ YES    NO <input checked="" type="checkbox"/></p>

If you answered "YES" as to Defendant Bubba Clem for any of the statements listed under questions 1 and 2, then answer question 3. If you answered "NO" as to Defendant Bubba Clem for all of the statements listed under questions 1 and 2, then you do not answer question 3, and you should move ahead and read the instructions proceeding question 4.

**3. By the greater weight of the evidence, we find that the amount of damages awarded to Plaintiff Todd Schnitt against Defendant Bubba Clem that are fair and just in light of the evidence are \$ \_\_\_\_\_.**

If you answered "YES" as to Defendant Bubba Radio Network for any of the statements listed under questions 1 and 2, then answer question 4. If you answered "NO" as to Defendant Bubba Radio Network for all of the statements listed under questions 1 and 2, then you do not answer question 4, and you should move ahead to question 5.

4. **By the greater weight of the evidence, we find that the amount of damages awarded to Plaintiff Todd Schnitt against Defendant Bubba Radio Network that are fair and just in light of the evidence are \$\_\_\_\_\_.**

Proceed to Question 5.

5. **Do you find by the greater weight of the evidence that the following statements by Defendants against Plaintiff Michelle Schnitt constitute defamation?**

	As to Defendant Bubba Clem		As to Defendant Bubba Radio Network	
A. "She's a whore."	_____ YES	_____ NO ✓	_____ YES	_____ NO ✓
B. "His whore wife every day. . ."	_____ YES	_____ NO ✓	_____ YES	_____ NO ✓
C. "Your wife is one of the people that tried to get us thrown in jail and that you had secret meetings with Mark Ober."	_____ YES	_____ NO ✓	_____ YES	_____ NO ✓

	<b>As to Defendant Bubba Clem</b>		<b>As to Defendant Bubba Radio Network</b>	
D. "MJ Kelli and his wife, which by the way, his wife worked for Mark Ober at the time, orchestrated most of it."	<u>YES</u>	<u>NO</u> ✓	<u>YES</u>	<u>NO</u> ✓
E. An image showing Michelle Schnitt carrying Todd Schnitt, with Cowhead peeking through the door. The picture was posted with statements regarding Todd Schnitt being "fired from Clear Channel" and Michelle Schnitt "smiling" because she "knows Cowhead is right outside."	<u>YES</u>	<u>NO</u> ✓	<u>YES</u>	<u>NO</u> ✓

If you answered "YES" as to Defendant Bubba Clem for any of the statements listed under questions 5 and 6, then answer questions 7, 8, and 9. If you answered "NO" as to Defendant Bubba Clem for all of the statements listed under questions 5 and 6, then you do not answer questions 7, 8, and 9, and you should move ahead and read the instructions proceeding question 10.

7. **By the greater weight of the evidence, we find that the amount of damages awarded to Plaintiff Michelle Schnitt against Defendant Bubba Clem that are fair and just in light of the evidence are \$ \_\_\_\_\_.**

Proceed to question 8.

8. As to Plaintiff Michelle Schnitt's claim for punitive damages, for those statements made against Plaintiff Michelle Schnitt that relate to matters of public concern, do you find by clear and convincing evidence that at the time of making the statements, Defendant Bubba Clem knew the statements were false or had serious doubts as to their truth, and by the greater weight of the evidence that Defendant Bubba Clem's primary purpose in making the statements was to indulge ill will, hostility, and an intent to harm Plaintiff Michelle Schnitt?

YES \_\_\_\_\_ NO \_\_\_\_\_

Proceed to question 9.

9. As to Plaintiff Michelle Schnitt's claim for punitive damages, for statements made against Plaintiff Michelle Schnitt that do not relate to matters of public concern, do you find by the greater weight of the evidence that Defendant Bubba Clem's primary purpose in making the statements was to indulge ill will, hostility, and an intent to harm Plaintiff Michelle Schnitt?

YES \_\_\_\_\_ NO \_\_\_\_\_

If you answered "YES" as to Defendant Bubba Radio Network for any of the statements listed under questions 5 and 6, then answer question 10. If you answered "NO" as to Defendant Bubba Radio Network for all of the statements listed under questions 5 and 6, then you do not answer question 10, and you should move to the end of the Verdict Form.

**10. By the greater weight of the evidence, we find that the amount of damages awarded to Plaintiff Michelle Schnitt against Defendant Bubba Radio Network that are fair and just in light of the evidence are \$ \_\_\_\_\_.**

You have now reached the end of the Verdict Form and should review it to ensure it accurately reflects your determinations. The Foreperson should then sign and date the Verdict Form in the spaces below and notify the bailiff that you have reached a verdict. The Foreperson should retain possession of the Verdict Form and bring it when the jury is brought back into the courtroom.

DATED: Jan. 30, 2013 By: Christine A. Craig Foreperson