

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO  
Judge Phillip S. Figa

Civil Action No. 04-cv-01224-PSF-CBS

UNITED STATES OF AMERICA, *ex rel.*  
BOBBY MAXWELL,

Plaintiffs,

v.

KERR-McGEE OIL & GAS CORPORATION, a Delaware corporation,

Defendant.

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**SPECIAL VERDICT FORM**

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1. Has the Relator Bobby Maxwell proven by a preponderance of the evidence that Defendant Kerr-McGee Oil & Gas Corporation ("Kerr-McGee") is liable on the Relator's claim that Kerr-McGee knowingly made or used a false record or statement in order to conceal, avoid, or decrease an obligation to pay money to the United States Government in violation of the False Claims Act?

YES     NO

If you answered NO to Question No. 1, then stop here, with the jury foreperson dating and signing this special verdict form where indicated below. Your deliberations are completed.

If you answered YES to Question No. 1, then please answer Question No. 2.

2. Has Kerr-McGee proven by a preponderance of the evidence that it fully disclosed to the United States Government, at the time it submitted the records or statements at issue, all information relevant to the Relator's claims that Kerr-McGee underpaid royalties?

YES     NO

If you answered YES to Question No. 2, then stop here, with the jury foreperson dating and signing this special verdict form where indicated below. Your deliberations are completed.

If you answered NO to Question No. 2, then please answer Question No. 3.

3. What is the dollar amount that the United States Government was not paid as a result of Kerr-McGee's submitting false records or statements?

ANSWER: \$ 7,555,886.28

The foreperson should date and sign this verdict form.

1/23/2007  
Date