

GENERAL VERDICT FORM

The plaintiff is Rockbridge Area Conservation Council (RACC)

The defendant is Virginia Outdoors Foundation (VOF)

We, the Jury, find in favor of Rockbridge Area Conservation Council, and against
Virginia Outdoors Foundation

Signed by:


FOREPERSON

7 December 2017
DATE

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ORIGINAL

JURY INTERROGATORIES

1(a). Did the parties have a contract? yes (yes): (No):

1(b). Did VOF breach the contract, , or did it expire ___? [check appropriately]

2(a). Do you, the jury, find that VOF currently holds title to the Property subject to the 1988 Agreement, including the House Mountain Management Plan?

[Yes: ; No:]

2(b). Do you, the jury, find that VOF currently holds title to the Property subject to the 1989 Agreement, including the House Mountain Management Plan?

[Yes: ; No:]

3. Do you, the jury, find that, in the absence of specific and explicit agreement otherwise, the 1989 Agreement automatically renews every four years?

[Yes: ; No:]

4. Did the parties intend for Paragraph 16 of the 1989 Agreement to allow for the 1989 Agreement to expire at the end of the four (4) year term if the parties could not agree to renew it (i.e., the parties could not agree to the other party's proposed changes to the Agreements)?

[Yes: ; No:]

5. Did the parties intend for Paragraph 16 of the 1989 Agreement to include a mechanism whereby a party can terminate the Agreement by giving sixty (60) days' notice to the other party of proposed changes?

[Yes: ; No:]

6. Did defendant Virginia Outdoors Foundation notify the plaintiff Rockbridge Area Conservation Council of its proposed changes to the Agreements by giving it at least sixty (60) days' notice of its proposed changes?

[Yes: ; No:]

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7. Do you, the jury, find that VOF is no longer in a position to carry out the intent of the Agreements?

[Yes: ; No:]

8. Did the parties intend for the 1989 Agreement to create a reversionary interest in plaintiff Rockbridge Area Conservation Council?

[Yes: ; No:]

9. Do you, the jury, find that it would be fair and equitable to require VOF to perform their obligations under the 1989 and 1988 Agreements?

[Yes: ; No:]

FOREPERSON: 