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FILED
ALAMEDA COUNTY

OCT 16 2024

CLERK OF THE SUPERIOR COURT
By  Deputy

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF ALAMEDA**

PROPEL FUELS, INC.,
Plaintiff,
v.
PHILLIPS 66 COMPANY,
Defendant.

Case No. 22CV007197

VERDICT FORM

1 We, the Jury, being duly impaneled and sworn, provide the following answers to the
2 questions submitted by the Court:

3 In answering the following questions, you are to follow the Court's Final Instructions to
4 the Jury and any instructions provided in this form.

5 **I. TRADE SECRET STATUS**

6 **Question No. 1:**

7 *Answering "Yes" to Question No. 1 is a finding in favor of Propel Fuels, Inc. ("Propel").*

8 *Answering "No" to Question No. 1 is a finding in favor of Phillips 66 Company ("Phillips 66").*

9 Has Propel proven each of the following by a preponderance of the evidence?:

- 10 a) That Propel was the owner of an alleged trade secret listed in PX-20650;
- 11 b) That at least one of the alleged trade secrets in PX-20650 was secret at the time of
12 the alleged misappropriation;
- 13 c) That at least one of the alleged trade secrets listed in PX-20650 had actual or
14 potential independent economic value because it was secret; and
- 15 d) That Propel made reasonable efforts under the circumstances to keep at least one
16 alleged trade secret identified in PX-20650 secret.

17

<u>YES</u>	<u>NO</u>
<input checked="" type="checkbox"/>	<input type="checkbox"/>

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19

20 *If you answered "No" to this question, then stop here, and have the presiding juror sign and date*
21 *this form.*

22 *If you answered "Yes" to this question, then please check "Yes" for each alleged trade secret*
23 *for which Propel has proven all of (a)-(d) above or check "No" for each alleged trade secret for*
24 *which Propel has not proven all of (a)-(d) above.*

25

26 *[Please Continue to Next Page]*

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1 (Question No. 1, Continued)

2 **FINANCIALS**

3 **Sales Data**

4

ATS ¹ 16	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
ATS 17	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No

6 **Historical Financials**

7

ATS 13	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
ATS 14	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
ATS 15	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No

10 **Costs**

11

ATS 23	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
ATS 24	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No

13 **PRICING & MARGIN**

14 **Pricing Methods and Strategies**

15

ATS 95	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
ATS 96	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
ATS 97	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
ATS 98	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
ATS 99	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
ATS 100	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No

21 **Margin Data**

22

ATS 18	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
ATS 19	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
ATS 20	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
ATS 114	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No

27 [Please Continue to Next Page]

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¹ ATS stands for "Alleged Trade Secret."

1 (Question No. 1, Continued)

2 **Margin Volatility**

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ATS 110	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
ATS 113	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
ATS 116	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No

6 **OPERATING MODEL & PROJECTIONS**

7 **Operating Model**

8

ATS 54	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
ATS 55	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No

10 **Volume Growth Projections**

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ATS 32	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
ATS 62	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
ATS 63	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No

14 **Revenue and Sales Projections**

15

ATS 26	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
ATS 27	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
ATS 28	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
ATS 29	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
ATS 30	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
ATS 31	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
ATS 33	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
ATS 34	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
ATS 35	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
ATS 36	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
ATS 37	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
ATS 38	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
ATS 64	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
ATS 65	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No

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Scalability

ATS 61	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
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Cost Projections

ATS 22	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
ATS 39	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
ATS 40	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
ATS 41	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No

Compliance Correlated Cashflows

ATS 48	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
ATS 49	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
ATS 50	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
ATS 51	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
ATS 52	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
ATS 53	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No

Profit and Margin Projections

ATS 87	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
ATS 42	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
ATS 43	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
ATS 44	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
ATS 45	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
ATS 46	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
ATS 47	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No

[Please Continue to Next Page]

1 (Question No. 1, Continued)

2 **SITING**

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4 ATS 88	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
5 ATS 89	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
6 ATS 90	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
7 ATS 91	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
8 ATS 92	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
9 ATS 93	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
10 ATS 94	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No

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12 *[Please Continue to Next Page]*

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1 (Question No. 1, Continued)

2 **MARKETING**

3 **Customer Data & Analyses**

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ATS 1	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
ATS 2	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
ATS 7	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
ATS 9	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
ATS 66	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
ATS 67	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
ATS 10	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
ATS 11	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
ATS 12	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
ATS 25	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
ATS 56	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
ATS 57	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
ATS 58	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
ATS 59	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
ATS 60	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
ATS 81	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
ATS 84	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No

21 **Methods & Strategies**

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ATS 70	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
ATS 71	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
ATS 72	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
ATS 73	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
ATS 78	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
ATS 79	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
ATS 80	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No

1 (Question No. 1, Continued)

2 If you answered "Yes" for any item in Question No. 1, please answer Question No. 2. If you
3 answered "No" for every item in Question No. 1, please proceed to Question No. 6(a).

4 **II. PROPEL'S CLAIM OF MISAPPROPRIATION**

5 **Question No. 2:**

6 Answering "Yes" to Question No. 2 is a finding in favor of Propel.

7 Answering "No" to Question No. 2 is a finding in favor of Phillips 66.

8 Has Propel proven by a preponderance of the evidence that Phillips 66 misappropriated
9 any of the alleged trade secrets?

<u>YES</u>	<u>NO</u>
<input checked="" type="checkbox"/>	<input type="checkbox"/>

13 If you answered "No" to this question, then stop here, and have the presiding juror sign and date
14 this form.

15 If you answered "Yes" to this question, then please answer "Yes" or "No" for each item found
16 to be a trade secret in Question No. 1:

17 **FINANCIALS**

18 **Sales Data**

ATS 16	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
ATS 17	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No

21 **Historical Financials**

ATS 13	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
ATS 14	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
ATS 15	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

25 **Costs**

ATS 23	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
ATS 24	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

28 [Please Continue to Next Page]

1 (Question No. 2, Continued)

2 **PRICING & MARGIN**

3 **Pricing Methods and Strategies**

4

ATS 95	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
ATS 96	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
ATS 97	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
ATS 98	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
ATS 99	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
ATS 100	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No

10 **Margin Data**

11

ATS 18	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
ATS 19	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
ATS 20	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
ATS 114	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No

15 **Margin Volatility**

16

ATS 110	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
ATS 113	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
ATS 116	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No

19 **OPERATING MODEL & PROJECTIONS**

20 **Operating Model**

21

ATS 54	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
ATS 55	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No

23 **Volume Growth Projections**

24

ATS 32	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
ATS 62	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
ATS 63	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No

28 [Please Continue to Next Page]

1 (Question No. 2, Continued)

2 **Revenue and Sales Projections**

3

ATS 26	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
ATS 27	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
ATS 28	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
ATS 29	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
ATS 30	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
ATS 31	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
ATS 33	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
ATS 34	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
ATS 35	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
ATS 36	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
ATS 37	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
ATS 38	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
ATS 64	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
ATS 65	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No

17 **Scalability**

18

ATS 61	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
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19 **Cost Projections**

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ATS 22	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
ATS 39	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
ATS 40	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
ATS 41	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No

25 *[Please Continue to Next Page]*

1 (Question No. 2, Continued)

2 **Compliance Correlated Cashflows**

3

ATS 48	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
ATS 49	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
ATS 50	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
ATS 51	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
ATS 52	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
ATS 53	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No

9 **Profit and Margin Projections**

10

ATS 87	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
ATS 42	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
ATS 43	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
ATS 44	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
ATS 45	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
ATS 46	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
ATS 47	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No

17 **SITING**

18

ATS 88	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
ATS 89	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
ATS 90	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
ATS 91	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
ATS 92	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
ATS 93	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
ATS 94	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No

26 [Please Continue to Next Page]

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1 (Question No. 2, Continued)

2 **MARKETING**

3 **Customer Data & Analyses**

4

ATS 1	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
ATS 2	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
ATS 7	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
ATS 9	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
ATS 66	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
ATS 67	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
ATS 10	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
ATS 11	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
ATS 12	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
ATS 25	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
ATS 56	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
ATS 57	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
ATS 58	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
ATS 59	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
ATS 60	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
ATS 81	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
ATS 84	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No

21 **Methods & Strategies**

22

ATS 70	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
ATS 71	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
ATS 72	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
ATS 73	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
ATS 78	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
ATS 79	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
ATS 80	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

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1 (Question No. 2, Continued)

2 If you answered "Yes" for any item in Question No. 2, please answer Question No. 3. If you
3 answered "No" for every item in Question No. 2, please proceed to Question No. 6(a).

4 **III. PHILLIPS 66'S DEFENSE OF READY ASCERTAINABILITY**

5 **Question No. 3:**

6 Answering "Yes" to Question No. 3 is a finding in favor of Phillips 66.

7 Answering "No" to Question No. 3 is a finding in favor of Propel.

8 Has Phillips 66 proven by a preponderance of the evidence that any of Propel's trade
9 secrets were readily ascertainable?

<u>YES</u>	<u>NO</u>
<input type="checkbox"/>	<input checked="" type="checkbox"/>

13 If you answered "No" to this question, then please answer Question No. 4(a).

14 If you answered "Yes" to this question, then identify each alleged trade secret found to be
15 misappropriated in Question No. 2 that Phillips 66 has proven were readily ascertainable.

16 **FINANCIALS**

17 **Sales Data**

ATS 16	<input type="checkbox"/> Yes	<input type="checkbox"/> No
ATS 17	<input type="checkbox"/> Yes	<input type="checkbox"/> No

20 **Historical Financials**

ATS 13	<input type="checkbox"/> Yes	<input type="checkbox"/> No
ATS 14	<input type="checkbox"/> Yes	<input type="checkbox"/> No
ATS 15	<input type="checkbox"/> Yes	<input type="checkbox"/> No

24 **Costs**

ATS 23	<input type="checkbox"/> Yes	<input type="checkbox"/> No
ATS 24	<input type="checkbox"/> Yes	<input type="checkbox"/> No

28 [Please Continue to Next Page]

1 (Question No. 3, Continued)

2 **PRICING & MARGIN**

3 **Pricing Methods and Strategies**

4

ATS 95	<input type="checkbox"/> Yes	<input type="checkbox"/> No
ATS 96	<input type="checkbox"/> Yes	<input type="checkbox"/> No
ATS 97	<input type="checkbox"/> Yes	<input type="checkbox"/> No
ATS 98	<input type="checkbox"/> Yes	<input type="checkbox"/> No
ATS 99	<input type="checkbox"/> Yes	<input type="checkbox"/> No
ATS 100	<input type="checkbox"/> Yes	<input type="checkbox"/> No

10 **Margin Data**

11

ATS 18	<input type="checkbox"/> Yes	<input type="checkbox"/> No
ATS 19	<input type="checkbox"/> Yes	<input type="checkbox"/> No
ATS 20	<input type="checkbox"/> Yes	<input type="checkbox"/> No
ATS 114	<input type="checkbox"/> Yes	<input type="checkbox"/> No

15 **Margin Volatility**

16

ATS 110	<input type="checkbox"/> Yes	<input type="checkbox"/> No
ATS 113	<input type="checkbox"/> Yes	<input type="checkbox"/> No
ATS 116	<input type="checkbox"/> Yes	<input type="checkbox"/> No

20 **OPERATING MODEL & PROJECTIONS**

21 **Operating Model**

22

ATS 54	<input type="checkbox"/> Yes	<input type="checkbox"/> No
ATS 55	<input type="checkbox"/> Yes	<input type="checkbox"/> No

24 **Volume Growth Projections**

25

ATS 32	<input type="checkbox"/> Yes	<input type="checkbox"/> No
ATS 62	<input type="checkbox"/> Yes	<input type="checkbox"/> No
ATS 63	<input type="checkbox"/> Yes	<input type="checkbox"/> No

28 [Please Continue to Next Page]

1 (Question No. 3, Continued)

2 **Revenue and Sales Projections**

3

4	ATS 26	<input type="checkbox"/> Yes	<input type="checkbox"/> No
5	ATS 27	<input type="checkbox"/> Yes	<input type="checkbox"/> No
6	ATS 28	<input type="checkbox"/> Yes	<input type="checkbox"/> No
7	ATS 29	<input type="checkbox"/> Yes	<input type="checkbox"/> No
8	ATS 30	<input type="checkbox"/> Yes	<input type="checkbox"/> No
9	ATS 31	<input type="checkbox"/> Yes	<input type="checkbox"/> No
10	ATS 33	<input type="checkbox"/> Yes	<input type="checkbox"/> No
11	ATS 34	<input type="checkbox"/> Yes	<input type="checkbox"/> No
12	ATS 35	<input type="checkbox"/> Yes	<input type="checkbox"/> No
13	ATS 36	<input type="checkbox"/> Yes	<input type="checkbox"/> No
14	ATS 37	<input type="checkbox"/> Yes	<input type="checkbox"/> No
15	ATS 38	<input type="checkbox"/> Yes	<input type="checkbox"/> No
16	ATS 64	<input type="checkbox"/> Yes	<input type="checkbox"/> No
17	ATS 65	<input type="checkbox"/> Yes	<input type="checkbox"/> No

18 **Scalability**

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20	ATS 61	<input type="checkbox"/> Yes	<input type="checkbox"/> No
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21 **Cost Projections**

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23	ATS 22	<input type="checkbox"/> Yes	<input type="checkbox"/> No
24	ATS 39	<input type="checkbox"/> Yes	<input type="checkbox"/> No
25	ATS 40	<input type="checkbox"/> Yes	<input type="checkbox"/> No
26	ATS 41	<input type="checkbox"/> Yes	<input type="checkbox"/> No

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1 (Question No. 3, Continued)

2 **Compliance Correlated Cashflows**

3

ATS 48	<input type="checkbox"/> Yes	<input type="checkbox"/> No
ATS 49	<input type="checkbox"/> Yes	<input type="checkbox"/> No
ATS 50	<input type="checkbox"/> Yes	<input type="checkbox"/> No
ATS 51	<input type="checkbox"/> Yes	<input type="checkbox"/> No
ATS 52	<input type="checkbox"/> Yes	<input type="checkbox"/> No
ATS 53	<input type="checkbox"/> Yes	<input type="checkbox"/> No

9 **Profit and Margin Projections**

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ATS 87	<input type="checkbox"/> Yes	<input type="checkbox"/> No
ATS 42	<input type="checkbox"/> Yes	<input type="checkbox"/> No
ATS 43	<input type="checkbox"/> Yes	<input type="checkbox"/> No
ATS 44	<input type="checkbox"/> Yes	<input type="checkbox"/> No
ATS 45	<input type="checkbox"/> Yes	<input type="checkbox"/> No
ATS 46	<input type="checkbox"/> Yes	<input type="checkbox"/> No
ATS 47	<input type="checkbox"/> Yes	<input type="checkbox"/> No

17 **SITING**

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ATS 88	<input type="checkbox"/> Yes	<input type="checkbox"/> No
ATS 89	<input type="checkbox"/> Yes	<input type="checkbox"/> No
ATS 90	<input type="checkbox"/> Yes	<input type="checkbox"/> No
ATS 91	<input type="checkbox"/> Yes	<input type="checkbox"/> No
ATS 92	<input type="checkbox"/> Yes	<input type="checkbox"/> No
ATS 93	<input type="checkbox"/> Yes	<input type="checkbox"/> No
ATS 94	<input type="checkbox"/> Yes	<input type="checkbox"/> No

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1 (Question No. 3, Continued)

2 **MARKETING**

3 **Customer Data & Analyses**

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ATS 1	<input type="checkbox"/> Yes	<input type="checkbox"/> No
ATS 2	<input type="checkbox"/> Yes	<input type="checkbox"/> No
ATS 7	<input type="checkbox"/> Yes	<input type="checkbox"/> No
ATS 9	<input type="checkbox"/> Yes	<input type="checkbox"/> No
ATS 66	<input type="checkbox"/> Yes	<input type="checkbox"/> No
ATS 67	<input type="checkbox"/> Yes	<input type="checkbox"/> No
ATS 10	<input type="checkbox"/> Yes	<input type="checkbox"/> No
ATS 11	<input type="checkbox"/> Yes	<input type="checkbox"/> No
ATS 12	<input type="checkbox"/> Yes	<input type="checkbox"/> No
ATS 25	<input type="checkbox"/> Yes	<input type="checkbox"/> No
ATS 56	<input type="checkbox"/> Yes	<input type="checkbox"/> No
ATS 57	<input type="checkbox"/> Yes	<input type="checkbox"/> No
ATS 58	<input type="checkbox"/> Yes	<input type="checkbox"/> No
ATS 59	<input type="checkbox"/> Yes	<input type="checkbox"/> No
ATS 60	<input type="checkbox"/> Yes	<input type="checkbox"/> No
ATS 81	<input type="checkbox"/> Yes	<input type="checkbox"/> No
ATS 84	<input type="checkbox"/> Yes	<input type="checkbox"/> No

21 **Methods & Strategies**

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ATS 70	<input type="checkbox"/> Yes	<input type="checkbox"/> No
ATS 71	<input type="checkbox"/> Yes	<input type="checkbox"/> No
ATS 72	<input type="checkbox"/> Yes	<input type="checkbox"/> No
ATS 73	<input type="checkbox"/> Yes	<input type="checkbox"/> No
ATS 78	<input type="checkbox"/> Yes	<input type="checkbox"/> No
ATS 79	<input type="checkbox"/> Yes	<input type="checkbox"/> No
ATS 80	<input type="checkbox"/> Yes	<input type="checkbox"/> No

1 (Question No. 3, Continued)

2 If you answered "No" for any item in Question No. 3, please answer Question No. 4(a). If you
3 answered "Yes" for every item in Question No. 3, please proceed to Question No. 6(a).

4 **IV. DAMAGES**

5 **Question No. 4(a):**

6 Answering "Yes" to Question No. 4(a) is a finding in favor of Propel.

7 Answering "No" to Question No. 4(a) is a finding in favor of Phillips 66.

8 Has Propel proven by a preponderance of the evidence that Phillips 66 was unjustly
9 enriched?

<u>YES</u>	<u>NO</u>
<input checked="" type="checkbox"/>	<input type="checkbox"/>

13 If you answered "No" to this question, please proceed to Question No. 5.

14 If you answered "Yes" to this question, then answer Question No. 4(b).

15 **Question No. 4(b):**

16 What is the amount of Phillips 66's unjust enrichment?

17
18 \$604,900,000

19
20 [Please Continue to Next Page]

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1 **V. WILLFULNESS**

2 **Question No. 5:**

3 *Answering "Yes" to Question No. 5 is a finding in favor of Propel.*

4 *Answering "No" to Question No. 5 is a finding in favor of Phillips 66.*

5 Has Propel proven by clear and convincing evidence that Phillips 66's misappropriation
6 was willful and malicious?

7 <u>YES</u>	8 <u>NO</u>
9 <input checked="" type="checkbox"/>	<input type="checkbox"/>

10 *[Please Continue to Next Page]*

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1 **VI. PHILLIPS 66'S DEFENSE OF STATUTE OF LIMITATIONS**

2 **Question No. 6(a):**

3 *Answering "Yes" to Question No. 6(a) is a finding in favor of Phillips 66.*

4 *Answering "No" to Question No. 6(a) is a finding in favor of Propel.*

5 Has Phillips 66 proven by a preponderance of the evidence that the alleged
6 misappropriation of Propel's trade secrets occurred before August 23, 2018?

7

<u>YES</u>	<u>NO</u>
<input type="checkbox"/>	<input checked="" type="checkbox"/>

8
9

10 *If you answered "Yes," please answer Question No. 6(b).*

11 *If you answered "No" to this question, then stop here, and have the presiding juror sign and
12 date this form.*

13 **Question No. 6(b):**

14 *Answering "Yes" to Question No. 6(b) is a finding in favor of Propel.*

15 *Answering "No" to Question No. 6(b) is a finding in favor of Phillips 66.*

16 Has Propel proven by a preponderance of the evidence that before August 23, 2018, Propel
17 did not discover, nor with reasonable diligence should have discovered, facts that would have
18 caused a reasonable person to suspect that Phillips 66 had misappropriated Propel's trade secrets?

19

<u>YES</u>	<u>NO</u>
<input type="checkbox"/>	<input type="checkbox"/>

20
21

22 *Please have the presiding juror sign and date this form.*

23 Signed: *J. Miller*

24 *Presiding Juror*

25 Dated: *10/16/24*

26 *After the verdict form has been signed, please notify the courtroom deputy that you are ready to
27 present your verdict in the courtroom.*

28