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Attorneys for Defendant
TRW INC., now known as NORTHROP GRUMMAN SPACE AND MISSION SYSTEMS CORP.

FILED
CLERK, U.S. DISTRICT COURT
JAN 12 2005
CENTRAL DISTRICT OF CALIFORNIA
BY DEPUTY

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UNITED STATES DISTRICT COURT

CENTRAL DISTRICT OF CALIFORNIA

WESTERN DIVISION

UNITED STATES OF AMERICA, ex rel., DR. NIRA SCHWARTZ, Plaintiff, vs. TRW INC., an Ohio corporation, and BOEING NORTH AMERICA, INC., a Delaware corporation, Defendants.	CASE NO. CV 96-3065-RSWL (RMCx) **[~~PROPOSED~~] JUDGMENT ON SPECIAL VERDICT** [Fed. R. Civ. P. 49(a), 58(a)(2)(B)(i); C.D. Cal. L.R. 58-2] Trial Date: December 14, 2004 Honorable Ronald S. W. Lew

J95

1062417.1

This matter was duly tried before a jury, commencing on December 14, 2004.

Prior to the case proceeding to jury trial, the Court dismissed Plaintiff's cause of action asserted under 31 U.S.C. § 3729.

Plaintiff's remaining causes of actions were duly submitted to the jury on December 22, 2004, by means of a special verdict consisting of a series of questions. On December 23, 2004, according to the instructions given to the jury, the jury returned its verdict by way of its answers to the questions propounded to it. *See* Exhibit A attached hereto.

In accordance with the special verdict so rendered by the jury in this matter,

IT IS ADJUDGED that:

1. Plaintiff Nira Schwartz take nothing by this suit;

2. The action is dismissed on its merits; and

3. Defendant TRW Inc. (now known as Northrop Grumman Space and Mission Systems Corporation) is entitled to recover costs of suit in the amount of $_____ from Plaintiff.

Dated: Jan 12, 2005

RONALD S.W. LEW
United States District Judge

Presented by:

MUNGER, TOLLES & OLSON LLP

By Natalie P. Stone
Natalie P. Stone

Attorneys for Defendant
TRW INC., now known as NORTHROP GRUMMAN SPACE AND MISSION SYSTEMS CORP.

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Exhibit A

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UNITED STATES DISTRICT COURT

CENTRAL DISTRICT OF CALIFORNIA

DR. NIRA SCHWARTZ,

Plaintiff,

vs.

TRW INC., an Ohio corporation

Defendant.

CASE NO. CV 96-3065 RSWL (RMCx)

SPECIAL VERDICT FORM

Date: December 14, 2004
Time: 9:00 a.m.
Judge: Hon. Ronald S.W. Lew
Ctrm: 21

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BY 013

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We, the jury in the above-entitled case, find the following special verdict on the questions submitted to us:

* * * * *

(For purposes of these questions, Plaintiff Dr. Nira Schwartz shall be referred to as "Plaintiff," and Defendant TRW Inc. shall be referred to as "TRW.")

A. THE FEDERAL CLAIM (§ 3730(h))

QUESTION 1:

During the time that Plaintiff was employed by TRW, was she investigating a possible violation of the False Claims Act by TRW?

ANSWER BY JURY: Yes___ No X

If your answer to Question 1 is "Yes," then answer Question 2. If your answer to Question 1 is "No," answer Question 7.

QUESTION 2:

During the time that she was employed by TRW, did Plaintiff believe in good faith that TRW was possibly committing such a fraud against the government?

ANSWER BY JURY: Yes___ No___

If your answer to Question 2 is "Yes," then answer Question 3. If your answer to Question 2 is "No," answer Question 7.

SCANNED

QUESTION 3:

Could a reasonable employee in the same or similar circumstances have believed that TRW was possibly committing such a fraud against the government?

ANSWER BY JURY: Yes___ No___

If your answer to Question 3 is "Yes," then answer Question 4. If your answer to Question 3 is "No," answer Question 7.

QUESTION 4:

During the time she was employed by TRW, did TRW know Plaintiff was investigating possible fraud by TRW against the government?

ANSWER BY JURY: Yes___ No___

If your answer to Question 4 is "Yes," then answer Question 5. If your answer to Question 4 is "No," answer Question 7.

QUESTION 5:

Was TRW's decision to terminate Plaintiff motivated in part because she was investigating possible fraud by TRW against the government?

ANSWER BY JURY: Yes___ No___

If your answer to Question 5 is "Yes," then answer Question 6. If your answer to Question 5 is "No," answer Question 7.

SCANNED

QUESTION 6:

Would TRW have terminated Plaintiff for other reasons as of March 7, 1996, even if she had not been investigating possible fraud by TRW against the government?

ANSWER BY JURY: Yes___ No___

Answer Question 7.

B. THE STATE CLAIM

QUESTION 7:

During the time she was employed by TRW, did Plaintiff have a reasonably-based suspicion that TRW was committing fraud against the government?

ANSWER BY JURY: Yes___ No X

If your answer to Question 7 is "Yes," then answer Question 8. If your answer to Question 7 is "No," answer Question 10.

QUESTION 8:

During the time she was employed by TRW, did Plaintiff report to TRW her suspicion that TRW was committing such a fraud against the government?

ANSWER BY JURY: Yes___ No___

If your answer to Question 8 is "Yes," then answer Question 9. If your answer to Question 8 is "No," answer Question 10.

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QUESTION 9:

If Plaintiff had not disclosed to TRW her suspicion that TRW was committing fraud against the government, would she have continued to work at TRW after March 7, 1996?

ANSWER BY JURY: Yes___ No___

If your answer to Question 9 is "Yes," then answer Question 11. If your answer to Question 9 is "No," then answer Question 10.

QUESTION 10:

Did you answer "no" to Question 6?

ANSWER BY JURY: Yes___ No X

If your answer to Question 10 is "Yes," then answer Question 11. If your answer to Question 10 is "No," do not answer any further questions, but sign, date, and return this verdict to the clerk.

C. ECONOMIC DAMAGES

QUESTION 11:

Until what date would Plaintiff have continued to work at TRW, if she had not been wrongfully terminated on March 7, 1996? (Your answer may not be later than May 11, 2000.)

ANSWER BY JURY: _____

Answer Question 12.

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SCANNED

D. MITIGATION OF DAMAGES

QUESTION 12:

Was Plaintiff's employment at Twentieth Century Plastics substantially similar to Plaintiff's employment at TRW?

ANSWER BY JURY: Yes___ No___

If your answer to Question 12 is "yes," then answer Question 13. If your answer to Question 12 is "no," then answer Question 14.

QUESTION 13:

Did Plaintiff fail to make reasonable efforts to retain her employment at Twentieth Century Plastics?

ANSWER BY JURY: Yes___ No___

Answer Question 14.

E. EMOTIONAL DISTRESS

QUESTION 14:

Did TRW's termination of Plaintiff cause her past or future physical pain, mental suffering, loss of enjoyment of life, grief, anxiety, humiliation, or emotional distress?

ANSWER BY JURY: Yes___ No___

If your answer Question 14 is "Yes," then answer Question No. 15. If your answer to Question 14 is "No," then answer Question 16.

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QUESTION 15:

What is the amount of money that will reasonably and fairly compensate Plaintiff for any past or future physical pain, mental suffering, loss of enjoyment of life, grief, anxiety, humiliation, or emotional distress you find was caused by her termination from TRW?

ANSWER BY JURY: $_____.

Answer Question 16.

QUESTION 16:

Did you answer "Yes" to Question 9?

ANSWER BY JURY: Yes___ No___

If your answer to Question 16 is "Yes," then answer Question 17. If your answer to Question 16 is "No," do not answer any further questions, but sign, date, and return this verdict to the clerk.

F. PUNITIVE DAMAGES

QUESTION 17:

Did Robert Sackheim, Deborah Wyscarver, Robert Hughes, or Betty Saylor engage in wrongful conduct with malice, oppression, or fraud?

ANSWER BY JURY: Yes___ No___

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If your answer to Question 17 is "Yes," then answer Question 18. If your answer to Question 17 is "No," do not answer any further questions, but sign, date, and return this verdict to the clerk.

QUESTION 18:

Was any of the persons you identified in response to Question 17 a managing agent of TRW?

ANSWER BY JURY: Yes___ No___

If your answer to Question 18 is "Yes," then answer Question 20. If your answer to Question 18 is "No," then answer Question 19.

QUESTION 19:

Did an officer, director, or managing agent of TRW know of the wrongful conduct of the person you identified in response to Question 17, and adopt or approve the conduct after it occurred?

ANSWER BY JURY: Yes___ No___

If your answer to Question 19 is "Yes," then answer Question 20. If your answer to Question 19 is "No," do not answer any further questions, but sign, date, and return this verdict to the clerk.

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QUESTION 20:

What amount of punitive damages, if any, do you award Plaintiff?

ANSWER BY JURY: $_____.

Sign, date, and return this Special Verdict Form to the clerk.

DATED: 12-23, 2004 By: _____
Foreperson of the Jury

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PROOF OF SERVICE BY MAIL

I am employed in the County of Los Angeles, State of California. I am over the age of 18 and not a party to the within action. My business address is 355 South Grand Avenue, Thirty-Fifth Floor, Los Angeles, California 90071-1560.

On January 7, 2005, I served the foregoing document described as **[PROPOSED] JUDGMENT ON SPECIAL VERDICT** on the interested party in this action by placing a true copy thereof enclosed in a sealed envelope addressed as follows:

SEE ATTACHED SERVICE LIST

I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with the U.S. postal service on that same day with postage thereon fully prepaid at Los Angeles, California in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing affidavit.

I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made.

Executed on January 7, 2005, at Los Angeles, California.

Cynthia S. Soden

SERVICE LIST

United States of America ex rel. Dr. Nira Schwartz v. TRW Inc., et al.

USDC Case No. CV-96-3065 RSWL (RMCx)

SCANNED

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