

SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES

Civil Division

Central District, Stanley Mosk Courthouse, Department 20

20STCV37014

ROLAND ESPARZA vs THE VONS COMPANIES, INC.

February 4, 2026

10:00 AM

Judge: Honorable Kevin C. Brazile
Judicial Assistant: Vanessa Livesay
Courtroom Assistant: Carmen Cortez

CSR: Heather Pitvorec CSR #10551
ERM: None
Deputy Sheriff: None

APPEARANCES:

For Plaintiff(s): Scott B. Hall; M. Alan Holcomb; Jacob W. Plattenberger

For Defendant(s): Emily A. Ambrose; D'Lesli M. Davis; Olivia J. Miner -- See additional appearances below.

NATURE OF PROCEEDINGS: Jury Trial

Order Appointing Court Approved Reporter as Official Reporter Pro Tempore was previously signed and filed.

Jury trial resumes from February 3, 2026, with jurors, counsel, and parties present as heretofore.

OUTSIDE OF THE PRESENCE OF THE JURY:

Juror #2 has advised the court staff that they are ill and unable to appear on this date.

Juror #2 is excused for illness.

IN THE PRESENCE OF THE JURY:

Juror #2 is substituted with Alternate #4.

Counsel for Defendant resumes their closing arguments.

Plaintiff's counsel rebuttals.

OUTSIDE THE PRESENCE OF THE JURY:

The Court and counsel confer regarding admitted exhibits.

Counsel for Plaintiff is to remove all pages of **Exhibit 717**, with the exception of page .033 and all pages of **exhibit 693**, with the exception of pages .074 and .075. Counsel for Defendant is to remove the cover pages from **exhibits 2508, 2511, and 2544**. Redacted **Exhibit PTXO1659**

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replaces the unredacted exhibit.

IN THE PRESENCE OF THE JURY:

The jury is further instructed.

At 11:54 a.m., the Courtroom Assistant is sworn to take charge of the jury.

At 11:57 a.m., the jury recesses for lunch.

At 1:30 p.m., the jury returns from lunch and retires into the deliberation room to begin deliberations.

Counsel review and stipulate admitted exhibit binders, jury instructions, and verdict form, prior to the documents being provided to the jury.

At 3:07 p.m., the jury buzzes twice, indicating that they have reached a verdict.

At 3:29 p.m., the jury emerges from deliberations and into the courtroom

The verdict is recited and recorded as follows:

We, the jury, answer the questions submitted to us:

Question A: Does Roland Esparza have bronchiolitis obliterans (“BO”)?

X Yes No

If you answered “Yes” to Question A, then go to Question B. If you answered “No” to Question A, then stop here, answer no further questions, and have the presiding juror sign and date this form.

Question B: Was the diacetyl in PAM butter flavored cooking spray a substantial factor in causing Roland Esparza’s bronchiolitis obliterans?

X Yes No

If you answered “Yes” to Question B, then go to Question C. If you answered “No” to Question B, then stop here, answer no further questions, and have the presiding juror sign and date this form.

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Question C: Did Conagra prove that Roland Esparza’s claimed harm occurred before September 28, 2018?

X Yes No

If you answered “Yes” to Question C, then answer Question D. If you answered “No” to Question C, then go to Section A.

Question D: Did Roland Esparza prove that before September 28, 2018, he did not discover, and did not know of facts that would have caused a reasonable person to suspect, that he had suffered from harm that was caused by someone’s wrongful conduct?

X Yes No

If you answered “Yes” to Question D, then go to Section A. If you answered “No” to Question D, then stop here, answer no further questions, and have the presiding juror sign and date this form.

SECTION A

Strict Product Liability – Design Defect

1. Did Conagra manufacture, distribute, or sell the PAM butter flavored cooking spray?

X Yes No

If you answered “Yes” in question 1, then answer question 2. If you answered “No” in question 1, then skip question 2, and go to Section B.

2. Did the PAM butter flavored cooking spray fail to perform as safely as an ordinary consumer would have expected it to perform when used or misused in an intended or reasonably foreseeable way?

X Yes No

If you answered “Yes” in question 2, then answer question 3. If you answered “No” in question 2, then skip question 3, and go to Section B.

3. Was Roland Esparza harmed?

X Yes No

If you answered “Yes” in question 3, then answer question 4. If you answered “No” in question

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3, then skip question 4, and go to Section B.

4. Was the PAM butter flavored cooking spray's failure to perform safely a substantial factor in causing Roland Esparza's harm?

X Yes No

Go to Section B

SECTION B

Strict Product Liability – Failure to Warn

5. Did PAM butter flavored cooking spray have potential risks to persons that were known or knowable in light of the scientific and medical knowledge that was generally accepted in the scientific community at the time of manufacture, distribution or sale?

X Yes No

If you answered "Yes" in question 5, then answer question 6. If you answered "No" in question 5, then skip question 6, and go to Section C.

6. Did the potential risks present a substantial danger to persons using or misusing PAM butter flavored cooking spray in an intended or reasonably foreseeable way?

X Yes No

If you answered "Yes" in question 6, then answer question 7. If you answered "No" in question 6, then skip question 7, and go to Section C.

7. Would ordinary consumers not have recognized the potential risks?

X Yes No

If you answered "Yes" in question 7, then answer question 8. If you answered "No" in question 7, then skip question 8, and go to Section C.

8. Did Conagra fail to adequately warn or instruct consumers of the potential risks?

X Yes No

If you answered "Yes" in question 8, then answer question 9. If you answered "No" in question 8, then skip question 9, and go to Section C.

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Deputy Sheriff: None

9. Was the lack of sufficient warnings or instructions a substantial factor in causing harm to Roland Esparza?

Yes No

Go to Section C.

SECTION C

Negligence – Design

10. Was Conagra negligent in designing PAM butter flavored cooking spray?

Yes No

If you answered “Yes” in question 10, answer question 11. If you answered “No” in question 10, then skip question 11, and go to Section D.

11. Was Conagra’s negligence a substantial factor in causing Roland Esparza’s harm?

Yes No

Go to Section D.

SECTION D

Comparative Fault of Plaintiff at Issue

12. Conagra claims that Roland Esparza’s own negligence contributed to his harm. Was Roland Esparza negligent?

Yes No

If you answered “Yes” in question 12, answer question 13. If you answered “No” in question 12, then go to Section E.

13. Was Roland Esparza’s negligence a substantial factor in causing Roland Esparza’s harm?

Yes No

Go to Section E.

SECTION E

Damages

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Deputy Sheriff: None

14. Answer the following question only if you answered “Yes” to Questions 4, 9, or 11. What were Roland Esparza’s non-economic damages attributable to his claim of bronchiolitis obliterans (“BO”), for his past and future physical pain, mental suffering, loss of enjoyment of life, physical impairment, inconvenience, grief, anxiety, humiliation, emotional distress, and future disfigurement?

__ \$25,000,000.00 __

Go to Section F.

SECTION F

15. Answer the following question only if you answered “Yes” to Question 13. What percentage of responsibility for Roland Esparza’s harm do you assign to the following?

Conagra: __ 100 __ %

Roland Esparza: __ 0 __ %

TOTAL 100%

Signed: Amanda Coleman

Presiding Juror

Dated: February 4, 2026

After this verdict form has been signed, please notify the court attendant.

Polling of the jurors begins.

At 3:29 p.m., the Court orders the jurors back into the jury room to complete all questions and answers of their individual verdicts.

OUTSIDE THE PRESENCE OF THE JURY:

The Court and counsel confer regarding jury instructions.

At 3:39 p.m., the jury re-enters the courtroom and portions of the jury instructions are re-read to the jurors.

At 3:41 p.m., the jurors return into the jury room to complete their individual verdict answers.

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ERM: None

Deputy Sheriff: None

At 3:46 p.m., the jury buzzes twice, indicating that they have finalized the verdict.

The jurors are polled as follows:

Question A: Twelve jurors answer in the affirmative.

Question B: Eleven jurors answer in the affirmative, one juror answers in the negative.

Question C: Ten jurors answer in the affirmative, two jurors answer in the negative.

Question D: Twelve jurors answer in the affirmative.

Section A

Question No. 1: Twelve jurors answer in the affirmative.

Question No. 2: Twelve jurors answer in the affirmative.

Question No. 3: Twelve jurors answer in the affirmative.

Question No. 4: Twelve jurors answer in the affirmative.

Section B

Question No. 5: Twelve jurors answer in the affirmative.

Question No. 6: Twelve jurors answer in the affirmative.

Section C

Question No. 7: Twelve jurors answer in the affirmative.

Question No. 8: Twelve jurors answer in the affirmative.

Question No. 9: Twelve jurors answer in the affirmative.

Question No. 10: Twelve jurors answer in the affirmative.

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Question No. 11: Twelve jurors answer in the affirmative.

Section D

Question No. 12: Two jurors answer in the affirmative, ten jurors answer in the negative.

Question No. 13: Twelve jurors answer in the negative.

Question No. 14: Twelve jurors answer in the affirmative.

Question No. 15: Twelve jurors answer in the affirmative.

At the request of counsel for Defendant, the parties and the Court sidebar in chambers.

The Court and counsel emerge from chambers and final instructions are read to the jurors.

The jury is thanked and excused.

The verdict and jury instructions are filed.

Pursuant to stipulation of counsel and upon order of the Court, all exhibits and depositions are ordered returned to their respective counsel to be retained and maintained pending final determination of the action, including expiration of time for appeal.

Plaintiff is ordered to submit a proposed judgment.

Non-Appearance Case Review Re: Proposed Judgment is scheduled for 03/09/2026 at 03:00 PM in Department 20 at Stanley Mosk Courthouse.

Additional appearance for Defendant(s):

Mary S. Young