



**Count One, Conspiracy:** How do you find the Defendant, **Howard Root**?

✓

\_\_\_\_\_  
Not Guilty

\_\_\_\_\_  
Guilty

*Only if Guilty*, as to which of the objects of the conspiracy do you unanimously find?

1. Defraud FDA by concealing sale of medical devices for unapproved use

\_\_\_\_\_

2. Introducing devices that were misbranded for failure to file pre-market notification with FDA

\_\_\_\_\_

3. Introducing devices that were misbranded for lack of adequate directions

\_\_\_\_\_



**Count Two, Misbranding (May 18, 2010):** How do you find the Defendant, **Howard Root**?

✓

\_\_\_\_\_  
Not Guilty

\_\_\_\_\_  
Guilty

*Only if Guilty*, as to which of the following do you unanimously find?

1. Failure to File Premarket Notification with FDA \_\_\_\_\_

2. Inadequate Directions for Use \_\_\_\_\_



Count Three, Misbranding (August 30, 2010): How do you find the Defendant, Howard Root?

✓

\_\_\_\_\_  
Not Guilty

\_\_\_\_\_  
Guilty

*Only if Guilty*, as to which of the following do you unanimously find?

1. Failure to File Premarket Notification with FDA \_\_\_\_\_
2. Inadequate Directions for Use \_\_\_\_\_

Count Four, Misbranding (January 31, 2011): How do you find the Defendant, Vascular Solutions?

✓  
\_\_\_\_\_  
Not Guilty

\_\_\_\_\_  
Guilty

*Only if Guilty*, as to which of the following do you unanimously find?

1. Failure to File Premarket Notification with FDA \_\_\_\_\_
2. Inadequate Directions for Use \_\_\_\_\_

**Count Four, Misbranding (January 31, 2011):** How do you find the Defendant, **Howard Root?**

✓  
\_\_\_\_\_  
Not Guilty

\_\_\_\_\_  
Guilty

*Only if Guilty*, as to which of the following do you unanimously find?

1. Failure to File Premarket Notification with FDA \_\_\_\_\_
2. Inadequate Directions for Use \_\_\_\_\_

Count Five, Misbranding (October 21, 2011): How do you find the Defendant, Vascular Solutions?

✓  
\_\_\_\_\_  
Not Guilty

\_\_\_\_\_  
Guilty

*Only if Guilty*, as to which of the following do you unanimously find?

1. Failure to File Premarket Notification with FDA \_\_\_\_\_
2. Inadequate Directions for Use \_\_\_\_\_

