

Preface

The 2025-2026 Pocket Part includes a new instruction for claims of civil theft, CIVJIG 60.66 with an accompanying Use Note and Authorities. The Pocket Part also updates the Authorities for several jury instructions. Key cases covered in this Pocket Part include discussions of *Fitness International, LLC v. City Center Ventures, LLC*, 9 N.W.3d 526 (Minn. 2024) (defense of frustration in contract cases); *SECURA Ins. Co. v. Deere & Co.*, 12 N.W.3d 103 (Minn. Ct. App. 2024), *rev. denied* (Minn. Dec. 17, 2024) (standard for requiring expert testimony to establish the duty of care); *ADT Security Services, Inc. v. Swenson*, 687 F. Supp. 2d 884 (D. Minn. 2009) and *McDougall v. CRC Industries, Inc.*, Civ. No. 20-1499, 2024 WL 4894656 (D. Minn. Nov. 26, 2024) (application of the Comparative Fault Act where one defendant has committed an intentional tort); and, *Reichel v. Wendland Utz, LTD*, 11 N.W.3d 602 (Minn. 2024).

September 2025

EDWARD WAHL
Chair, MDJA Civil Jury
Instruction Guides Committee