

Index

ABUSE OF PROCESS

- Generally, §§ **1:1 to 1:13**
- Affirmative defenses, answers with, § **1:10**
- Answers with affirmative defenses, § **1:10**
- Briefs in support of motions to dismiss and/or motions for summary judgment, § **1:11**
- Claims, § **1:3**
- Complaints, §§ **1:8; 1:9**
- Defenses, § **1:5**
- Dismissal, briefs in support of motions for, § **1:11**
- Forms
 - answers with affirmative defenses, § **1:10**
 - briefs in support of motion to dismiss and/or motion for summary judgment, § **1:11**
 - complaints, §§ **1:8; 1:9**
 - jury instructions, § **1:12**
 - special verdicts, § **1:13**
- Jury
 - instructions, §§ **1:6; 1:12**
 - verdicts and settlements, § **1:7**
- Limitation of actions, § **1:2**
- Pleadings and motions
 - answers with affirmative defenses, § **1:10**
 - briefs in support of motion to dismiss and/or motion for summary judgment, § **1:11**
 - complaints, §§ **1:8; 1:9**
- Remedies, § **1:4**
- Settlements, jury verdicts and, § **1:7**
- Special verdicts, § **1:13**
- Summary judgment, briefs in support of motions for, § **1:11**

ACCIDENTS

- Emotional distress
 - Forms, Automobile, § **5:19**
- Local government tort liability, motor vehicle accidents, § **9:6**

ACCORD AND SATISFACTION

- Contract actions—breach of contract, unjust enrichment, and quantum meruit, § **3:17**

ACTS BY PLAINTIFF

- Contract actions—breach of contract, unjust enrichment, and quantum meruit, § **3:13**

AFFIRMATIVE DEFENSES

- Abuse of process, § 1:10
- Animal actions—damage caused by dog, § 2:21
- Contract actions—breach of contract, unjust enrichment, and quantum meruit, §§ 3:49; 3:52
- Emotional distress, § 5:20
- Insurance—bad faith, §§ 7:15; 7:16
- Local government tort liability, § 9:18
- Medical malpractice—negligence, § 10:32
- Motor vehicles—negligence, §§ 11:32 to 11:34
- Possession of real property, § 13:11
- Safe place, §§ 15:28; 15:29
- Tortious interference with contract, §§ 16:16; 16:17

AMPUTATION

- Products Liability—Strict Liability** (this index)

ANIMAL ACTIONS—DAMAGE CAUSED BY DOG

- Generally, §§ 2:1 to 2:35
- Affirmative defenses, answers with, § 2:21
- Answers
 - affirmative defenses, § 2:21
 - counterclaims, § 2:22
- Approval of settlement, petitions for, §§ 2:29 to 2:31
- Cats
 - jury verdicts and settlements, § 2:14
 - worker's compensation carrier against cat owner, complaint, § 2:19
- Child and mother, injuries to, complaint, § 2:18
- Claims
 - generally, § 2:3
 - answers with counterclaim, § 2:22
 - common-law negligence, § 2:6
 - liability under Wis. Stat. § 174.02(1), §§ 2:4; 2:5
 - negligence, common-law, § 2:6
- Common-law negligence, § 2:6
- Complaints
 - generally, §§ 2:16; 2:17
 - child and minor, injuries, § 2:18
 - emotional distress, § 5:14
 - third party, § 2:20
 - worker's compensation carrier against cat owner, § 2:19
- Counterclaims, answers with, § 2:22
- Defendants
 - in limine, pretrial report, § 2:25
 - offers of judgment, § 2:28
 - pretrial report, §§ 2:24; 2:25
- Defenses, § 2:8

INDEX

ANIMAL ACTIONS—DAMAGE CAUSED BY DOG—Cont'd

Emotional distress

complaint, dog bite, § 5:15

jury verdicts and settlements, minor's dog bite injuries, § 5:10

Forms

answers with affirmative defenses, § 2:21

answers with counterclaim, § 2:22

complaints, §§ 2:16 to 2:20; 5:14

defendants' offers of judgment, § 2:28

emotional distress, dog bite complaint, § 5:15

jury instructions, §§ 2:32; 2:33

motion for summary judgment, § 2:23

motions in limine, §§ 2:25; 2:26

petitions

approval of settlement, §§ 2:29 to 2:31

order approving a minor settlement, § 2:29

plaintiffs' offers of settlement, § 2:27

special verdicts, §§ 2:34; 2:35

third party complaints, § 2:20

Judgment, defendants' offers of, § 2:28

Jury

instructions, §§ 2:9; 2:32; 2:33

verdicts and settlements, §§ 2:10 to 2:15; 5:10

Liability under Stat. § 174.02(1)

generally, § 2:4

owners, § 2:5

Limitation of actions, § 2:2

Minor settlements

emotional distress, § 5:10

petitions for approval of, §§ 2:29; 2:30

petitions for order approving, § 2:29

Motions

in limine, §§ 2:25; 2:26

summary judgment, § 2:23

Negligence, common-law, § 2:6

Order approving a minor settlement, petitions for, § 2:29

Owner liability under Wis. Stat. § 174.02(1), § 2:5

Petitions

approval of settlement, for, §§ 2:29 to 2:31

order approving a minor settlement, for, § 2:29

Plaintiffs' offers of settlement, § 2:27

Pleadings and motions

answers with affirmative defenses, § 2:21

answers with counterclaim, § 2:22

complaints, §§ 2:16 to 2:20; 5:14

defendants' offers of judgment, § 2:28

defendant's pretrial report, §§ 2:24; 2:25

ANIMAL ACTIONS—DAMAGE CAUSED BY DOG—Cont'd

- Pleadings and motions—Cont'd
 - in limine, defendant's pretrial report, § 2:25
 - motion for summary judgment, § 2:23
 - motions in limine, §§ 2:25; 2:26
 - petitions
 - approval of settlement, §§ 2:29 to 2:31
 - order approving a minor settlement, § 2:29
 - plaintiffs' offers of settlement, § 2:27
 - third party complaints, § 2:20
- Remedies, § 2:7
- Settlements
 - minor
 - emotional distress, § 5:10
 - petitions for approval of, §§ 2:29; 2:30
 - petitions for order approving, § 2:29
 - petitions for approval of, §§ 2:29 to 2:31
 - plaintiffs' offers of, § 2:27
- Special verdicts, §§ 2:34; 2:35
- Stat. § 174.02(1), liability under
 - generally, § 2:4
 - owners, § 2:5
- Summary judgment, motions for, § 2:23
- Third party complaints, § 2:20
- Worker's compensation carrier against cat owner, complaint, § 2:19

ANSWERS

- Abuse of process, § 1:10
- Affirmative defenses, § 17:28
- Animal actions—damage caused by dog, §§ 2:21; 2:22
- Contract actions—breach of contract, unjust enrichment, and quantum meruit,
§§ 3:50 to 3:52
- Defamation, §§ 4:17; 4:18
- Emotional distress, § 5:20
- Insurance—bad faith, §§ 7:15; 7:16
- Legal malpractice, § 8:12
- Local government tort liability, §§ 9:18; 9:19
- Medical malpractice—negligence, § 10:32
- Motor vehicles—negligence, §§ 11:32 to 11:34
- Possession of real property, § 13:11
- Safe place, §§ 15:28; 15:29; 15:33
- Tortious interference with contract, §§ 16:16; 16:17

APPROVAL OF MINOR SETTLEMENTS

- Animal actions—damage caused by dog, §§ 2:29; 2:30
- Wrongful death, § 17:34

AUTOMOBILES

- Motor Vehicles** (this index)

INDEX

BAD FAITH

Contract actions—breach of contract, unjust enrichment, and quantum meruit,
breach of duty of good faith, § 3:4

Insurance—Bad Faith (this index)

BARIATRIC SURGEON

Defense verdict in malpractice claim, § 10:12

Special verdict forms for malpractice claims, § 10:39

BICYCLES AND BICYCLISTS

Bicyclist's death

crosswalk, death in complaint, § 17:24

judgment, § 17:49

jury verdicts and settlements, §§ 17:16; 17:42

special verdict, § 17:42

Defendant's motion to change verdict and for new trial, § 17:48

Fatal bicycle crash, special verdict, § 17:42

Wrongful death, complaint, § 17:20

BIFURCATION

Insurance—bad faith, §§ 7:16; 7:17

BREACH OF CONTRACT

**Contract Actions—Breach of Contract, Unjust Enrichment, and Quantum
Meruit** (this index)

BRIEFS

Abuse of process, § 1:11

Defamation, § 4:19

Emotional distress, § 5:23

Insurance—bad faith, § 7:17

Medical malpractice—negligence, § 10:33

Wrongful death, §§ 17:31; 17:32

CATS

Animal Actions—Damage Caused by Dog (this index)

CAUSATION

Tortious interference with contract, § 16:6

CHAPTER 655

Medical malpractice—negligence, § 10:4

CHILDREN

Animal actions, injuries to child and mother, complaint, § 2:18

Death of twin fetuses, medical malpractice—negligence, § 10:40

Motor vehicles—negligence, settlement of minors' claims, § 11:36

Wrongful death, § 17:6

CHIROPRACTORS

Complaint for injury, § 10:27

Jury verdicts and settlements, § 10:19

Special verdict, defense, § 10:43

CLAIMS

Abuse of process, § 1:3
Animal actions—damage caused by dog, §§ 2:3 to 2:6; 2:22
Contract actions—breach of contract, unjust enrichment, and quantum meruit,
§§ 3:3 to 3:5; 3:52
Defamation, §§ 4:3 to 4:5; 4:18
Emotional distress, § 5:3
False imprisonment, § 6:3
Insurance—bad faith, §§ 7:3; 7:4
Legal malpractice, §§ 8:3; 8:12
Local government tort liability, §§ 9:3 to 9:6
Medical malpractice—negligence, §§ 10:3 to 10:5
Motor vehicles—negligence, §§ 11:3 to 11:6; 11:36
Possession of real property, §§ 13:3; 13:4; 13:7
Safe place, §§ 15:3 to 15:7
Tortious interference with contract, §§ 16:3 to 16:6
Wrongful death, §§ 17:3; 17:4; 17:8; 17:29

COMMON CARRIERS

Motor vehicles—negligence, § 11:6

COMMON-LAW NEGLIGENCE

Animal actions—damage caused by dog, § 2:6

COMPLAINTS

Abuse of process, §§ 1:8; 1:9
Animal actions—damage caused by dog, §§ 2:16; 2:17; 2:19; 2:20
Bicyclist, motorist striking, § 11:26
Contract actions—breach of contract, unjust enrichment, and quantum meruit,
§§ 3:35 to 3:37; 3:41 to 3:44
Defamation, §§ 4:15; 4:16
Emotional distress, §§ 5:14 to 5:19
Failure to pay account, unjust enrichment, § 3:38
Insurance—bad faith, §§ 7:10 to 7:20
Legal malpractice, §§ 8:9; 8:10
Local government tort liability, §§ 9:16; 9:17
Medical malpractice
 causing wrongful death, § 17:22
 failure to medicate, § 10:30
 negligence, §§ 10:24 to 10:30; 10:25; 10:29
Minor driver, imputed to parent, § 11:24
Motor vehicles—negligence, §§ 11:20 to 11:31
Motorcycle struck by left-turning vehicle, § 11:31
Nursing home, § 17:17
Passenger in motor vehicle, § 11:25
Pedestrian, motorist striking, § 11:27
Possession of real property, § 13:10
Rear end collision and speeding, § 11:28
Reverse motor vehicle accident, § 11:29

INDEX

COMPLAINTS—Cont'd

- Safe place, §§ **15:21 to 15:41**
- Tortious interference with contract, §§ **16:13; 16:15**
- Uninsured motorist, § **11:30**
- U-turn motor vehicle accident, § **11:22**
- Wrongful death, § **17:20**

CONSTRUCTION JOBS

- Contract actions—breach of contract, unjust enrichment, and quantum meruit, § **3:41**
- Wrongful death, §§ **17:15; 17:23; 17:47**

CONTRACT ACTIONS—BREACH OF CONTRACT, UNJUST ENRICHMENT, AND QUANTUM MERUIT

- Generally, §§ **3:1 to 3:68**
- Accord and satisfaction, § **3:17**
- Acts by plaintiff, § **3:13**
- Affirmative defenses
 - answers with, § **3:50**
 - counterclaims, and, answers with, § **3:52**
- Answers
 - affirmative defenses, with, § **3:50**
 - affirmative defenses and counterclaims, with, § **3:52**
 - counterclaims, with, § **3:51**
- Breach
 - contract, of, §§ **3:1 to 3:68**
 - duty of good faith and fair dealing, of, § **3:4**
 - medical equipment breach of contract, § **3:31**
 - oral contract for reclamation of farmland, § **3:25**
 - plaintiff, by, § **3:13**
 - purchase agreement, § **3:22**
 - repayment agreement, § **3:26**
- Claims
 - generally, § **3:3**
 - answers with affirmative defenses and counterclaims, § **3:52**
 - breach of duty of good faith and fair dealing, § **3:4**
 - unjust enrichment and quantum meruit, § **3:5**
- Complaints
 - breach of contract, §§ **3:34 to 3:36; 3:41 to 3:44**
 - medical equipment breach of contract, §§ **3:47; 3:48**
 - quantum meruit, § **3:40**
 - services provided, failure to pay for, § **3:46**
 - unjust enrichment, §§ **3:35; 3:37; 3:39**
- Construction job
 - failure to pay for construction services, §§ **3:29; 3:45; 3:65**
 - work done on, § **3:41**
- Contractor's claim against subcontractor, § **3:36**
- Counterclaims, answers with, §§ **3:51; 3:52**

CONTRACT ACTIONS—BREACH OF CONTRACT, UNJUST ENRICHMENT, AND QUANTUM MERUIT—Cont'd

Defenses

- generally, § 3:10
- accord and satisfaction, § 3:17
- acts or breach by plaintiff, § 3:13
- frustration of purpose, § 3:12
- illegality, § 3:18
- impossibility, § 3:14
- mutual mistake of fact, § 3:16
- voidable contracts, § 3:15
- waiver, § 3:11

Duty of good faith and fair dealing, breach of, § 3:4

Fact, mutual mistake of, § 3:16

Fair dealing, breach of duty of, § 3:4

Forms

answers with

- affirmative defenses, §§ 3:50; 3:52
- counterclaims, §§ 3:51; 3:52

breach of contract, § 3:54

complaints

- breach of contract, §§ 3:34 to 3:36; 3:41 to 3:43

- hail damage, § 3:44

- quantum meruit, § 3:40

- unjust enrichment, §§ 3:35; 3:37; 3:39

construction services, failure to pay for, §§ 3:45; 3:65

inventor, special verdicts, § 3:60

medical equipment, contract for sale of and indemnification, § 3:66

medical equipment breach of contract, complaint, §§ 3:47; 3:48

pleadings and motions, § 3:40

quantum meruit, § 3:40

sale of house, special verdicts, § 3:59

services provided, failure to pay for, § 3:46

special verdicts, §§ 3:56 to 3:62

technical specifications, §§ 3:53; 3:61; 3:64

unjust enrichment, § 3:55

unjust enrichment, breach of contract, § 3:67

Frustration of purpose, § 3:12

Good faith, breach of duty of, § 3:4

Hail damage

- complaint, § 3:44

- jury verdicts and settlements, § 3:24

Home rehabilitation work unfinished, jury verdicts and settlement, § 3:23

House, breach of contract of sale of

- complaint, § 3:43

- jury verdict, § 3:27

- special verdict, § 3:59

INDEX

CONTRACT ACTIONS—BREACH OF CONTRACT, UNJUST ENRICHMENT, AND QUANTUM MERUIT—Cont'd

Illegality, § **3:18**

Impossibility, § **3:14**

Injunctions and specific performance, § **3:9**

Inventor, breach of contract

 jury verdicts and settlements, § **3:21**

 special verdict, § **3:60**

Judgment

 breach of contract, § **3:64**

 medical equipment, contract for sale of and indemnification, § **3:66**

 unjust enrichment, § **3:65**

 unjust enrichment, breach of contract, § **3:67**

Jury instructions

 generally, § **3:19**

 breach of contract, § **3:54**

 unjust enrichment, § **3:55**

Jury verdicts and settlements, §§ **3:20 to 3:31**

Limitation of actions, § **3:2**

Medical equipment

 contract for sale of and indemnification, § **3:66**

Medical equipment breach of contract, §§ **3:31; 3:47; 3:48**

Mistake of fact, mutual, § **3:16**

Mutual mistake of fact, § **3:16**

Plaintiffs

 acts by, § **3:13**

 breach by, § **3:13**

Pleadings and motions

 answers with affirmative defenses, §§ **3:50; 3:52**

 answers with counterclaims, §§ **3:51; 3:52**

 complaints

 breach of contract, §§ **3:34 to 3:36; 3:41 to 3:43**

 hail damage, § **3:44**

 quantum meruit, § **3:40**

 unjust enrichment, §§ **3:34; 3:35; 3:37; 3:39**

 construction services, failure to pay for, § **3:45**

 medical equipment breach of contract, complaint, §§ **3:47; 3:48**

 services provided, failure to pay for, § **3:46**

 technical specifications, breach of contract regarding, § **3:53**

Quantum meruit

 complaints, § **3:40**

 unjust enrichment and, § **3:5**

Reformation, § **3:8**

Remedies

 generally, § **3:6**

 reformation, § **3:8**

 rescission, § **3:7**

CONTRACT ACTIONS—BREACH OF CONTRACT, UNJUST ENRICHMENT, AND QUANTUM MERUIT—Cont'd

Remedies—Cont'd

specific performance and injunctions, § 3:9

Repayment agreement, breach of, § 3:26

Rescission, § 3:7

Sale of house

complaint, breach of contract, § 3:43

special verdicts for breach, § 3:59

Satisfaction, accord and, § 3:17

Services provided, failure to pay for, §§ 3:46; 3:62

Settlements, jury verdicts and, §§ 3:20 to 3:31

Special verdicts, §§ 3:56 to 3:62

Specific performance, injunctions and, § 3:9

Subcontractor, contractor's claim against, § 3:36

Technical specifications

breach of contract, § 3:42

judgment, § 3:64

jury denies breach of contract claim regarding, § 3:28

pleadings and motions, breach of contract, § 3:53

special verdict, § 3:61

Unjust enrichment

breach of contract, § 3:67

complaints, §§ 3:34; 3:35; 3:39

painting and decorating services company, § 3:32

quantum meruit, and, § 3:5

Voidable contracts, § 3:15

Waiver, § 3:11

Work done on construction job, § 3:41

CONTRACTORS

Contract actions—breach of contract, unjust enrichment, and quantum meruit, § 3:36

Safe place, contractor, action against, third party complaint, § 15:32

CONTRACTS

Contract Actions—Breach of Contract, Unjust Enrichment, and Quantum Meruit (this index)

Tortious Interference with Contract (this index)

COUNTERCLAIMS

Animal actions—damage caused by dog, § 2:22

Contract actions—breach of contract, unjust enrichment, and quantum meruit, § 3:51

Emotional distress, answers with, § 5:22

Legal malpractice, § 8:12

Possession of real property, § 13:7

Wrongful death, § 17:8

INDEX

COVERAGE

Insurance—bad faith, denial of coverage, § 7:3

CROSS-CLAIMS

Emotional distress, answers with, § 5:22

Wrongful death, § 17:29

DAMAGES

Defamation, § 4:7

DEATH

Wrongful Death (this index)

DEFAMATION

Generally, §§ 4:1 to 4:22

Answers

affirmative defenses, § 4:17

counterclaims, § 4:18

Briefs in support of motions to dismiss, § 4:19

Business defamation

complaint, § 4:16

special verdict, § 4:22

Claims

generally, § 4:3

answers with counterclaim, § 4:18

malice, § 4:4

public figures, § 4:5

Complaints, §§ 4:15; 4:16

Damages, nominal and punitive, § 4:7

Defenses

generally, § 4:8

privilege, § 4:9

truth, § 4:10

Dismissal, briefs in support of motions for, § 4:19

Forms

answers with affirmative defenses, § 4:17

answers with counterclaim, § 4:18

briefs in support of motion to dismiss, § 4:19

complaint, §§ 4:15; 4:16

jury instructions, § 4:20

special verdict, §§ 4:21; 4:22

Golf club member, jury verdicts and settlements, § 4:14

Jury instructions, §§ 4:12; 4:20

Jury verdicts and settlements, §§ 4:13; 4:14

Limitation of actions, § 4:2

Magazines, notices to, § 4:11

Malice, § 4:4

Motions to dismiss, briefs in support of, § 4:19

Newspapers, notices to, § 4:11

DEFAMATION—Cont'd

- Nominal damages, § 4:7
- Notices to newspaper, magazine, or periodical, § 4:11
- Periodicals, notices to, § 4:11
- Pleadings and motions
 - answers with affirmative defenses, § 4:17
 - answers with counterclaim, § 4:18
 - briefs in support of motion to dismiss, § 4:19
 - complaint, §§ 4:15; 4:16
 - jury instructions, § 4:20
- Privilege, § 4:9
- Public figures, § 4:5
- Punitive damages, § 4:7
- Remedies, § 4:6
- Settlements, jury verdicts and, §§ 4:13; 4:14
- Special verdicts, §§ 4:21; 4:22
- Truth, § 4:10

DEFENDANTS

- Animal actions—damage caused by dog, offers of judgment, § 2:28
- Insurance—bad faith, intervening defendants' briefs in support of its motions to intervene, motions to stay proceedings, and motions to bifurcate, § 7:17

DEFENSES

- Abuse of process, § 1:5
- Animal actions—damage caused by dog, § 2:8
- Contract actions—breach of contract, unjust enrichment, and quantum meruit, §§ 3:10 to 3:18
- Defamation, §§ 4:8 to 4:10
- Emotional distress, § 5:5
- False imprisonment, § 6:5
- Insurance—bad faith, § 7:6
- Legal malpractice, § 8:5
- Local government tort liability, §§ 9:8 to 9:11
- Medical malpractice—negligence, § 10:7
- Motor vehicles—negligence, § 11:8
- Possession of real property, § 13:6
- Safe place, §§ 15:9; 15:10
- Tortious interference with contract, § 16:8
- Wrongful death, § 17:7

DENIAL OF COVERAGE

- Insurance—bad faith, § 7:3

DENTISTS AND DENTAL PRACTICE

- Informed consent, lack of, medical malpractice, § 10:28
- Jury verdicts and settlements, § 10:20

INDEX

DISCRETIONARY ACTS

Local government tort liability, exceptions to immunity from liability for discretionary acts, § 9:4

DISMISSAL

Abuse of process, § 1:11
Defamation, § 4:19
Legal malpractice, § 8:13
Local government tort liability, § 9:19
Medical malpractice—negligence, § 10:33
Order for, motor vehicles—negligence, § 11:55
Safe place, §§ 15:33; 15:34
Tortious interference with contract, § 16:18
Wrongful death, §§ 17:32; 17:46

DOGS

Animal Actions—Damage Caused by Dog (this index)

DUTY OF FAIR DEALING

Contract actions—breach of contract, unjust enrichment, and quantum meruit, § 3:4

DUTY OF GOOD FAITH

Contract actions—breach of contract, unjust enrichment, and quantum meruit, § 3:4

DUTY TO SETTLE

Insurance—bad faith, § 7:4

EMOTIONAL DISTRESS

Generally, §§ 5:1 to 5:31
Affirmative defenses, answers with, § 5:20
Animal bite
 complaint, § 5:18
Answers
 affirmative defenses, § 5:20
 cross-claims and counter-claims, § 5:22
Automobile accident
 complaint, § 5:18
Awards, special verdicts, § 5:30
Briefs in support of motions to dismiss, § 5:23
Claims, § 5:3
Complaints, §§ 5:14 to 5:19; 5:17
Cross-claims and counter-claims, answers with, § 5:22
Defense verdict, confrontation with former in-laws, § 5:11
Defenses, § 5:5
Dog bite
 complaint, § 5:15
 jury verdicts and settlements, injuries to minor, §§ 5:10; 5:12

EMOTIONAL DISTRESS—Cont'd

Forms

- answers with
 - affirmative defenses, § 5:20
 - cross-claims and counter-claims, § 5:22
- Awards, special verdicts, § 5:30
- briefs in support of motion to dismiss, § 5:23
- complaints, §§ 5:14 to 5:19
- judgment, § 5:31
- jury instructions, § 5:26
- motions in limine, § 5:24
- responses, motion in limine, § 5:25
- special verdicts, § 5:28

Judgment, § 5:31

Jury

- instructions, §§ 5:6; 5:26
- verdicts and settlements, §§ 5:7 to 5:12

Limitation of actions, § 5:2

Motions

- dismiss, briefs in support of, § 5:23
- in limine, § 5:24

Nail spa spat, §§ 5:17; 5:31

Pleadings and motions

- answers with affirmative defenses, § 5:20
- answers with cross-claims and counter-claims, § 5:22
- briefs in support of motion to dismiss, § 5:23
- complaints, §§ 5:14 to 5:19
- motions in limine, § 5:24
- responses, motion in limine, § 5:25

Post-concussion syndrome

- settlements, jury verdicts, § 5:13

Remedies, § 5:4

Responses, motion in limine, § 5:25

Settlements, jury verdicts, § 5:12

Settlements, jury verdicts and, §§ 5:7; 5:9; 5:10; 5:13

Special verdicts, § 5:28

EMPLOYMENT

- Local government tort liability, public employees, § 9:9

Safe place

- places of, § 15:4
- public, § 15:5

EVICTIION

- Possession of real property, § 13:4

EXCEPTIONS

- Local government tort liability, immunity from liability for discretionary acts,
§ 9:4

INDEX

FACTS

Contract actions—breach of contract, unjust enrichment, and quantum meruit, mutual mistake, § 3:16

FAILURE TO MEDICATE

Judgments, § 10:46
Jury verdicts and settlements, § 10:22
Pleadings and motions, § 10:30
Special verdicts, § 10:44

FAIR DEALING

Contract actions—breach of contract, unjust enrichment, and quantum meruit, breach of duty, § 3:4

FALLING OBJECTS

Safe place, § 15:24

FALSE IMPRISONMENT

Generally, §§ 6:1 to 6:19
Affidavit in support of motion to enforce settlement, § 6:18
Claims, § 6:3
Defenses, § 6:5
Judgment, § 6:17
Jury instruction, § 6:15
Jury instructions, § 6:6
Jury verdicts, § 6:7
Limitation of actions, § 6:2
Pleadings and motions
 alleged false claim of car theft and false imprisonment, § 6:14
 generally, §§ 6:10 to 6:14
Remedies, § 6:4
Settlements, jury verdicts and
 awards in assault, battery suit, § 6:8
 generally, §§ 6:7 to 6:9
 settlement for defamation and false imprisonment, § 6:9
Special verdict, § 6:16
Stipulation and order for dismissal, § 6:19

FARMLAND

Jury verdicts and settlements, breach of oral contract for reclamation, § 3:25

FIRE DEPARTMENTS

Local government tort liability, immunity, § 9:10

FOOD CONTAMINATION

Steakhouse pays for chef's food, § 5:8

FORMS

Abuse of process, §§ 1:8 to 1:13
Animal actions—damage caused by dog, §§ 2:16 to 2:35
Bicyclist struck by motor vehicle, § 11:26

FORMS—Cont'd

- Contract actions—breach of contract, unjust enrichment, and quantum meruit,
§§ 3:34 to 3:63
- Defamation, §§ 4:15 to 4:22
- Emotional distress, §§ 5:14 to 5:25
- Insurance—bad faith, §§ 7:10 to 7:20; 7:15 to 7:19
- Inventor, special verdict for breach of contract, § 3:60
- Legal malpractice, §§ 8:9; 8:10; 8:12 to 8:15
- Local government tort liability, §§ 9:16 to 9:21
- Medical malpractice
 - bicycle crash, fatal, § 17:42
 - negligence, §§ 10:24 to 10:42
 - wrongful death, §§ 17:22; 17:41
- Motor vehicles—negligence, §§ 11:20 to 11:56
- Possession of real property, §§ 13:10 to 13:13
- Rear end collision and speeding, § 11:28
- Safe place, §§ 15:21 to 15:41
- Sale of house, special verdict for breach of contract, § 3:59
- Tortious interference with contract, §§ 16:13; 16:15 to 16:20
- Wrongful death
 - nursing home death, § 17:43

FRUSTRATION OF PURPOSE

- Contract actions—breach of contract, unjust enrichment, and quantum meruit,
§ 3:12

GAUZE PADS

- Medical malpractice—negligence, §§ 10:35; 10:37

GOOD FAITH

- Contract actions—breach of contract, unjust enrichment, and quantum meruit,
breach of duty, § 3:4
- Insurance—Bad Faith** (this index)

HAIL DAMAGE

- Contract actions—breach of contract, unjust enrichment, and quantum meruit
complaint, § 3:44
- jury verdicts and settlements, § 3:24
- Jury verdicts and settlements, § 3:24

HOME REHABILITATION

- Contract actions—breach of contract, unjust enrichment and quantum meruit,
§ 3:23

HOUSE, SALE OF

- Complaint for breach of contract, § 3:43
- Jury verdict for breach of contract, § 3:27
- Special verdict for breach of contract, § 3:59

ILLEGALITY

- Contract actions—breach of contract, unjust enrichment, and quantum meruit,
§ 3:18

INDEX

IMMUNITY

Local government tort liability, §§ 9:4; 9:10; 9:11

IMPOSSIBILITY

Contract actions—breach of contract, unjust enrichment, and quantum meruit,
§ 3:14

IMPROPER MEANS

Tortious interference with contract, § 16:5

INDUCEMENT

Tortious interference with contract, § 16:6

INFANT BIRTH INJURIES

Medical malpractice—negligence, § 10:10

Special verdict forms, § 10:38

INJUNCTIONS AND SPECIFIC PERFORMANCE

Contract actions—breach of contract, unjust enrichment, and quantum meruit,
§ 3:9

INSURANCE—BAD FAITH

Generally, §§ 7:1 to 7:20

Affirmative defenses, answers with, §§ 7:15; 7:16

Answers

affirmative defenses, §§ 7:15; 7:16

requests to bifurcate, § 7:16

Bifurcation

motions to bifurcate, intervening defendants' briefs in support of, § 7:17

requests to bifurcate, § 7:16

Briefs in support of its motion to intervene, motion to stay proceedings, and
motion to bifurcate, intervening defendants', § 7:17

Claims

denial of coverage, § 7:3

duty to settle, § 7:4

Complaints, §§ 7:10 to 7:20

Coverage, denial of, § 7:3

Defenses, § 7:6

Denial of coverage, § 7:3

Duty to settle, § 7:4

Forms

answers

with affirmative defenses, §§ 7:15; 7:16

request to bifurcate, § 7:16

complaints, §§ 7:10 to 7:20

intervening defendants' briefs in support of its motion to intervene, motion to
stay proceedings, and motion to bifurcate, § 7:17

jury instructions, § 7:18

special verdicts, § 7:19

Intervening defendants' briefs in support of
motions to bifurcate, § 7:17

INSURANCE—BAD FAITH—Cont'd

Intervening defendants' briefs in support of—Cont'd

 motions to intervene, § 7:17

Intervening defendants' briefs in support of its motions to intervene, motions to stay proceedings, and motions to bifurcate, § 7:17

Jury instructions, §§ 7:7; 7:18

Jury verdicts and settlements, § 7:8

Limitation of actions, § 7:2

Motions to

 bifurcate, intervening defendants' briefs in support of, § 7:17

 intervene, intervening defendants' briefs in support of, § 7:17

 stay proceedings, intervening defendants' briefs in support of, § 7:17

Pleadings and motions

 answers

 affirmative defenses, §§ 7:15; 7:16

 request to bifurcate, § 7:16

 complaints, §§ 7:10 to 7:20

 intervening defendants' briefs in support of its motion to intervene, motion to stay proceedings, and motion to bifurcate, § 7:17

 motions to

 bifurcate, intervening defendants' briefs in support of, § 7:17

 stay proceedings, intervening defendants' briefs in support of, § 7:17

Remedies, § 7:5

Requests to bifurcate, answers with, § 7:16

Settle, duty to, § 7:4

Settlements, jury verdicts and, § 7:8

Special verdicts, § 7:19

Stay of proceedings, motions for, intervening defendants' briefs in support of, § 7:17

INSURER LIABILITY

Medical malpractice

 pleading and motions, § 10:31

INTENT

Tortious interference with contract, § 16:4

INTERPRETATION OF RADIOGRAM

Jury verdict in malpractice claim, § 10:14

INTERVENING DEFENDANTS

Insurance—bad faith, briefs in support of its motions to intervene, motions to stay proceedings, and motions to bifurcate, § 7:17

INVENTOR

Contract actions—breach of contract, unjust enrichment, and quantum meruit

 jury verdicts and settlements, § 3:21

 special verdict, § 3:60

Special verdict for breach of contract, § 3:60

INDEX

JUDGMENT

- Abuse of process, summary judgment, § 1:11
- Animal actions—damage caused by dog
 - defendants' offers of judgment, § 2:28
 - summary judgment, § 2:23
- Breach of contract, technical specifications, § 3:64
- Emotional distress, § 5:31
- Failure to medicate, § 10:46
- Legal malpractice, § 8:16
- Medical equipment, contract for sale of and indemnification, § 3:66
- Special verdicts
 - insurer liability, medical malpractice judgments, § 10:45
- Unjust enrichment, § 3:65
- Unjust enrichment, breach of contract, § 3:68

JURY INSTRUCTIONS

- Abuse of process, §§ 1:6; 1:12
- Animal actions—damage caused by dog, §§ 2:9; 2:32; 2:33
- Contract actions—breach of contract, unjust enrichment, and quantum meruit,
§§ 3:19; 3:54; 3:55
- Defamation, §§ 4:12; 4:20
- Emotional distress, §§ 5:6; 5:26
- False imprisonment, § 6:6
- Insurance—bad faith, §§ 7:7; 7:18
- Legal malpractice, §§ 8:6; 8:14
- Local government tort liability, §§ 9:12; 9:20
- Medical malpractice—negligence, §§ 10:8; 10:34; 10:35
- Motor vehicles—negligence, §§ 11:9; 11:38 to 11:41
- Possession of real property, §§ 13:8; 13:12
- Post op condition, failure to treat, § 17:38
- Safe place, §§ 15:11; 15:35
- Tortious interference with contract, §§ 16:9; 16:19
- Wrongful death, §§ 17:9; 17:37

JURY VERDICTS AND SETTLEMENTS

- Abuse of process, § 1:7
- Animal actions—damage caused by dog, §§ 2:10 to 2:15
- Bariatric surgeon, defense verdict in medical malpractice, § 10:12
- Breach of contract, Jury awards, § 3:33
- Chiropractors, defense, § 10:19
- Contract actions—breach of contract, unjust enrichment, and quantum meruit,
§§ 3:20 to 3:31
- Death of twin fetuses, medical malpractice—negligence, § 10:13
- Defamation, §§ 4:13; 4:14
- Dental med mal claim, § 10:20
- Emotional distress, §§ 5:7 to 5:12
- False imprisonment, § 6:7
- Food contamination stunt, § 5:8
- Hail damage to roof, § 3:24

JURY VERDICTS AND SETTLEMENTS—Cont'd

- House, breach of contract for sale of, § 3:27
- Infant birth injuries, negligence, § 10:10
- Legal malpractice, §§ 8:7; 8:8
- Local government tort liability, §§ 9:13 to 9:15
- Medical equipment breach of contract, § 3:31
- Medical malpractice
 - causing wrongful death, § 17:14
 - negligence, §§ 10:9 to 10:20
- Motor vehicles
 - accident, § 7:8
 - negligence, §§ 11:10 to 11:19
- Motorcyclist, verdict for \$ 1,200,000, § 11:19
- Ophthalmologist, defense verdict in informed consent malpractice claim, § 10:16
- Painting and decorating services company, § 3:32
- Possession of real property, § 13:9
- Purchase agreement, breach, § 3:22
- Radiogram interpretation, verdict in malpractice claim, § 10:14
- Reclamation of farmland, breach of oral contract, § 3:25
- Repayment agreement, breach of, § 3:26
- Safe place, §§ 15:12 to 15:20; 15:41
- Surgical injuries to leg, medical malpractice—negligence, § 10:15
- Technical specifications, jury denies breach of contract claim regarding, § 3:28
- Tortious interference with contract, §§ 16:10 to 16:12
- Unfinished rehabilitation work, § 3:23
- Uninsured motorist, § 11:18
- Uninsured motorist benefits case
 - motor vehicles, § 7:9
- Verdict for plaintiff reduced, § 15:20
- Wrongful death, §§ 17:10 to 17:19

JUVENILES

- Motor vehicles—negligence, settlement of minors' claims, § 11:36
- Wrongful death, § 17:6

LEGAL MALPRACTICE

- Generally, §§ 8:1 to 8:16
- Answers with counterclaim, § 8:12
- Claims
 - generally, § 8:3
 - answers with counterclaim, § 8:12
- Complaints, §§ 8:9 to 8:11
- Counterclaims, answers with counterclaim, § 8:12
- Defenses, § 8:5
- Dismiss, motions to, § 8:13
- Forms
 - answers with counterclaim, § 8:12
 - complaints, §§ 8:9; 8:10

INDEX

LEGAL MALPRACTICE—Cont'd

Forms—Cont'd

judgment, § 8:16

jury instructions, § 8:14

motions to dismiss, § 8:13

special verdicts, § 8:15

Insurance license, loss of, §§ 8:8; 8:11; 8:16

Judgment, § 8:16

Jury

instructions, §§ 8:6; 8:14

verdicts and settlements, §§ 8:7; 8:8

Limitation of actions, § 8:2

Motions to dismiss, § 8:13

Pleadings and motions

answers with counterclaim, § 8:12

complaints, §§ 8:9 to 8:11

motions to dismiss, § 8:13

Remedies, § 8:4

Settlements, jury verdicts and, § 8:7

Special verdicts, § 8:15

LIABILITY

Animal actions—damage caused by dog, §§ 2:4; 2:5

Products Liability—Strict Liability (this index)

Tort liability. **Local Government Tort Liability** (this index)

LIMITATION OF ACTIONS

Abuse of process, § 1:2

Animal actions—damage caused by dog, § 2:2

Contract actions—breach of contract, unjust enrichment, and quantum meruit,
§ 3:2

Defamation, § 4:2

Emotional distress, § 5:2

False imprisonment, § 6:2

Insurance—bad faith, § 7:2

Legal malpractice, § 8:2

Local government tort liability, § 9:2

Medical malpractice—negligence, § 10:2

Motor vehicles—negligence, § 11:2

Possession of real property, § 13:2

Safe place, § 15:2

Tortious interference with contract, § 16:2

Wrongful death, § 17:2

LOCAL GOVERNMENT TORT LIABILITY

Generally, §§ 9:1 to 9:21

Accidents, motor vehicle, § 9:6

Affirmative defenses, answers with, § 9:18

LOCAL GOVERNMENT TORT LIABILITY—Cont'd

Answers

- affirmative defenses, § 9:18
- motions to dismiss, § 9:19

Claims

- generally, § 9:3
- exceptions to immunity from liability for discretionary acts, § 9:4
- motor vehicle accidents, § 9:6
- notices for claim, § 9:5

Complaints, §§ 9:16; 9:17

Defenses

- generally, § 9:8
- fire department immunity, § 9:10
- public officers and employees, § 9:9
- waiver of immunity, § 9:11

Discretionary acts, exceptions to immunity from liability for, § 9:4

Dismissal, motions for, answers with, § 9:19

Employees, public, § 9:9

Exceptions to immunity from liability for discretionary acts, § 9:4

Fire department immunity, § 9:10

Forms

- answers and motion to dismiss, § 9:19
- answers with affirmative defenses, § 9:18
- complaints, §§ 9:16; 9:17
- jury instructions, § 9:20
- special verdicts, § 9:21

Immunity

- fire department, § 9:10
- liability for discretionary acts, from, exceptions, § 9:4
- waiver of, § 9:11

Jury

- instructions, §§ 9:12; 9:20
- verdicts and settlements, §§ 9:13 to 9:15

Liability for discretionary acts, exceptions to immunity from, § 9:4

Limitation of actions, § 9:2

Motions to dismiss, answers with, § 9:19

Motor vehicle accidents, § 9:6

Notices for claim, § 9:5

Officers, public, § 9:9

Pleadings and complaints

- answers and motion to dismiss, § 9:19
- answers with affirmative defenses, § 9:18
- complaints, §§ 9:16; 9:17

Public employees, § 9:9

Public officers, § 9:9

Remedies, § 9:7

Settlements, jury verdicts and, §§ 9:13 to 9:15

INDEX

LOCAL GOVERNMENT TORT LIABILITY—Cont'd

- Special verdicts, § 9:21
- Waiver of immunity, § 9:11

MAGAZINES

- Defamation, notices to magazines, § 4:11

MALICE

- Defamation, § 4:4

MEDIATION

- Medical malpractice—negligence, § 10:5

MEDICAL MALPRACTICE—NEGLIGENCE

- Generally, §§ 10:1 to 10:46
- Affirmative defenses, answers with, § 10:32
- Answers with affirmative defenses, § 10:32
- Bariatric surgeon
 - defense verdict, § 10:12
 - special verdicts, § 10:39
- Briefs in support of motions to dismiss, § 10:33
- Chapter 655, § 10:4
- Chiropractors
 - complaint for injury, § 10:27
 - jury verdicts and settlements, § 10:19
 - special verdict, defense, § 10:43
- Claims
 - generally, § 10:3
 - Chapter 655, § 10:4
 - medical malpractice mediation, § 10:5
- Complaints, §§ 10:24 to 10:30
- Consent, lack of, dental, § 10:28
- Death of twin fetuses
 - complaint, § 10:25
 - jury verdicts and settlements, § 10:13
 - special verdicts, § 10:40
- Defense verdict, § 10:17
- Defenses, § 10:7
- Dentists and dental practice
 - complaint, informed consent, lack of, § 10:28
 - jury verdicts and settlements, § 10:20
- Dismissal, briefs in support of motions for, § 10:33
- Failure to medicate, § 10:30
 - jury verdicts and settlements, § 10:22
 - special verdict, § 10:44
- Forms
 - generally, §§ 10:24 to 10:42
 - answers with affirmative defenses, § 10:32
 - bariatric surgeon, claims against, § 10:39
 - briefs in support of motion to dismiss, § 10:33

MEDICAL MALPRACTICE—NEGLIGENCE—Cont'd

Forms—Cont'd

- chiropractors, §§ **10:19; 10:27; 10:43**
- complaints, §§ **10:24 to 10:30**
- dental, informed consent, lack of, § **10:28**
- failure to medicate, §§ **10:30; 10:44**
- gauze pads left in patient, §§ **10:35; 10:37**
- jury
 - instructions, §§ **10:34; 10:35**
 - verdicts and settlements, § **10:18**
- minor, negligent care of, § **10:29**
- negligent treatments, § **10:36**
- special verdicts, §§ **10:36 to 10:44**

Gauze pads left in patient

- jury instructions, § **10:35**
- special verdicts, § **10:37**

Infant birth injuries

- jury verdicts and settlements, § **10:10**
- special verdicts, § **10:38**

Judgments

- failure to medicate, § **10:46**

Jury instructions, §§ **10:8; 10:34; 10:35**

Jury verdicts and settlements, §§ **10:9 to 10:20; 10:21; 10:22**

Limitation of actions, § **10:2**

Mediation, medical malpractice, § **10:5**

Medical malpractice mediation, § **10:5**

Minor, negligent care of, § **10:29**

Motions to dismiss, briefs in support of, § **10:33**

Negligent treatment, § **10:36**

Nursing home

- jury verdicts and settlements, § **10:21**

Ophthalmologist, defense verdict in informed consent claim, § **10:16**

Pleading and motions, complaint

- Insurer liability, indemnification, § **10:31**

Pleadings and motions

- answers with affirmative defenses, § **10:32**
- briefs in support of motion to dismiss, § **10:33**
- complaints, §§ **10:24 to 10:30; 10:25; 10:26**
- failure to medicate, § **10:30**
- negligent care of minor, § **10:29**
- wrongful death complaint, § **17:22**

Radiogram interpretation, verdict in malpractice claim, § **10:14**

Remedies, § **10:6**

Settlements, jury verdicts and, §§ **10:9 to 10:20; 10:21**

Special verdicts

- bariatric surgeon, claims against, § **10:39**
- chiropractors, § **10:43**

INDEX

MEDICAL MALPRACTICE—NEGLIGENCE—Cont'd

Special verdicts—Cont'd

death of twin fetuses, malpractice claims against, § 10:40

defense verdict, § 10:42

failure to medicate, § 10:44

fatal motor vehicle accident, § 17:40

gauze pads left in patient, § 10:37

generally, §§ 17:39 to 17:44

infant birth injuries, § 10:38

negligent treatment, § 10:36

utero death, § 10:41

wrongful death, form, § 17:41

Surgical injuries to leg, jury verdicts and settlements, § 10:15

Utero death

jury verdicts and settlements, § 10:18

pleadings and motions, complaint, § 10:26

Wrongful death

complaint form, §§ 10:25; 17:22

jury verdicts and settlements, §§ 10:13; 10:18; 17:14

special verdict form, §§ 10:40; 10:41; 17:41

MEDICAL MALPRACTICE—NEGLIGENCEMEDICAL MALPRACTICE—NEGLIGENCE

Settlements, jury verdicts and, § 10:22

MINOR SETTLEMENTS

Animal actions—damage caused by dog, §§ 2:29; 2:30; 5:10; 5:12

Motor vehicles—negligence, settlement of minors' claims, § 11:36

Wrongful death, § 17:34

MISTAKES OF FACT

Contract actions—breach of contract, unjust enrichment, and quantum meruit,
§ 3:16

MOTIONS

Pleadings and Motions (this index)

MOTOR VEHICLE ACCIDENTS

Emotional distress

Forms, § 5:19

Local government tort liability, § 9:6

Settlements, § 7:8

MOTOR VEHICLES—NEGLIGENCE

Generally, §§ 11:1 to 11:56

Affirmative defenses, answers with, §§ 11:32 to 11:34

Answers with affirmative defenses, §§ 11:32 to 11:34

Bicyclist struck, complaints, § 11:26

Claims

generally, § 11:3

common carriers, § 11:6

MOTOR VEHICLES—NEGLIGENCE—Cont'd

Claims—Cont'd

- negligence of passengers, § 11:5
- safety statutes, § 11:4
- settlement of minors' claims, § 11:36

Common carriers, § 11:6

Complaints, §§ 11:20 to 11:31

Defendant's pretrial report, § 11:50

Defenses, § 11:8

Distribution of settlement proceeds, order for, § 11:56

Forms

- answers with affirmative defenses, §§ 11:32 to 11:34
- bicyclist struck, complaints, § 11:26
- complaints, §§ 11:20 to 11:31
- jury instructions, §§ 11:39 to 11:41
- loss of control by defendant, § 11:23
- minor driver, imputed to parent, § 11:24
- motions in limine, § 11:35
- passenger complaint, § 11:25
- pedestrian struck, complaints, § 11:27
- petitions to establish special needs trust, § 11:37
- phantom driver
 - jury instructions, § 11:41
 - special verdicts, § 11:44
- rear end collision and speeding, complaints, § 11:28
- reverse motor vehicle accident, § 11:29
- settlement of minors' claims, § 11:36
- special verdicts, §§ 11:42 to 11:48
- uninsured motorist, § 11:30
- u-turns, §§ 11:22; 11:38; 11:45

Jury instructions, §§ 11:9; 11:39 to 11:41

Jury verdicts and settlements, §§ 11:10 to 11:19

Limitation of actions, § 11:2

Loss of control by defendant, § 11:23

Minor driver, imputed to parent, § 11:24

Minors' claims, settlement of, § 11:36

Motions in limine, § 11:35

Motorcyclist, verdict for \$ 1,200,000, § 11:19

Negligence of passengers, § 11:5

Offer of judgment, § 11:38

Order for dismissal, § 11:55

Passengers

- complaint, § 11:25
- negligence of, § 11:5

Pedestrian

- MVA, jury verdict and settlements, § 11:16
- struck, complaints, § 11:27

INDEX

MOTOR VEHICLES—NEGLIGENCE—Cont'd

- Petitions to establish special needs trusts, § 11:37
- Phantom drivers
 - jury instructions, § 11:41
 - special verdicts, § 11:44
- Plaintiff's pretrial report, § 11:49
- Pleadings and motions
 - answers with affirmative defenses, §§ 11:32 to 11:34
 - bicyclist struck, complaints, § 11:26
 - complaints, §§ 11:20 to 11:31
 - loss of control by defendant, § 11:23
 - minor driver, imputed to parent, § 11:24
 - motions in limine, § 11:35
 - passenger complaint, § 11:25
 - pedestrian struck, complaints, § 11:27
 - petitions to establish special needs trusts, § 11:37
 - rear end collision and speeding, complaints, § 11:28
 - reverse motor vehicle accident, § 11:29
 - settlements of minor's claims, § 11:36
 - uninsured motorist, § 11:30
 - u-turn motor vehicle accident, § 11:22
- Pretrial report
 - defendant's, § 11:50
 - plaintiff's, § 11:49
- Rear end collision, §§ 11:15; 11:28; 11:46; 11:51; 11:52
- Remedies, § 11:7
- Reverse motor vehicle accident, §§ 11:17; 11:29
- Safety statutes, § 11:4
- Settlements
 - jury verdicts and, §§ 11:10 to 11:19
 - minors' claims, § 11:36
 - order for distribution, § 11:56
- Special needs trusts, petitions to establish, § 11:37
- Special verdicts, §§ 11:42 to 11:48
- Trusts, special needs, petitions to establish, § 11:37
- Uninsured motorist, §§ 11:18; 11:30; 11:47
- U-turns, §§ 11:14; 11:22; 11:38; 11:45

MUTUAL MISTAKE OF FACT

- Contract actions—breach of contract, unjust enrichment, and quantum meruit, § 3:16

NEGLIGENCE

- Animal actions—damage caused by dog, common-law negligence, § 2:6
- Medical Malpractice—Negligence** (this index)
- Motor Vehicles—Negligence** (this index)

NEWSPAPERS

- Defamation, notices to newspapers, § 4:11

NOMINAL DAMAGES

Defamation, § 4:7

NOTICES

Defamation, notices to newspaper, magazine, or periodical, § 4:11

Local government tort liability, notices for claim, § 9:5

Safe place, notices of unsafe condition, § 15:7

NUISANCE—PUBLIC NUISANCE

Generally, §§ 12:1 to 12:20

Claims, § 12:3

Defenses, § 12:5

Forms

generally, §§ 12:10 to 12:15

answer with affirmative defenses, § 12:13

change in zoning, § 12:11

motion in limine, § 12:15

water and debris diverted, landowner, § 12:12

Jury instructions, § 12:6

generally, §§ 12:16 to 12:18

Limitations, § 12:2

Remedies, § 12:4

Special verdicts, § 12:19

private nuisance, § 12:20

Verdicts and settlements, §§ 12:7 to 12:9

jury finds for lead-paint maker, § 12:8

water and debris diverted, landowner, § 12:9

NURSING HOME

Complaint, § 16:14

Jury verdicts and settlements, § 10:21

NURSING HOMES

Wrongful death

jury verdicts and settlements, § 17:17

pleadings and motions, complaints, § 17:25

special verdict, § 17:43

Wrongful death, special verdict, § 17:43

OFFERS

Motor vehicles—negligence, offers of judgment, § 11:38

Wrongful death, offers of settlement, § 17:33

OFFICERS, PUBLIC

Local government tort liability, § 9:9

Safe place, § 15:5

OPHTHALMOLOGIST

Defense verdict in informed consent malpractice claim, § 10:16

INDEX

ORDERS

- Animal actions—damage caused by dog, petitions for orders approving a minor settlement, §§ 2:29; 2:30
- Dismissal, motor vehicles—negligence, § 11:55
- Dismissal, wrongful death, § 17:50
- Distribution of settlement proceeds, § 11:56

OWNERS

- Animal actions—damage caused by dog
 - liability under Wis. Stat. § 174.02(1), § 2:5
 - worker's compensation carrier against cat owner, § 2:19
- Safe place, § 15:6

PASSENGERS

- Motor vehicles—negligence, § 11:5

PAYMENTS

- Failure to pay for
 - construction services, § 3:45
 - services provided, § 3:46
- Repayment agreement, breach of, § 3:26
- Steakhouse pays for chef's food, § 5:8

PERIODICALS

- Defamation, notices to periodicals, § 4:11

PETITIONS

- Animal actions—damage caused by dog, §§ 2:29 to 2:31
- Motor vehicles—negligence, § 11:37
- Wrongful death, approval of settlement, § 17:45

PHANTOM DRIVERS

- Jury instructions, § 11:41
- Special verdicts, § 11:44

PLACES OF EMPLOYMENT

- Safe place, § 15:4

PLAINTIFFS

- Animal actions—damage caused by dog, offers of settlement, § 2:27
- Contract actions—breach of contract, unjust enrichment, and quantum meruit, acts or breach by plaintiffs, § 3:13

PLEADINGS AND MOTIONS

- Abuse of process, §§ 1:8 to 1:11
- Animal actions—damage caused by dog, §§ 2:16; 2:17; 2:19; 2:21 to 2:24; 2:27 to 2:31
- Bicyclists struck by motor vehicle, § 11:26
- Contract actions—breach of contract, unjust enrichment, and quantum meruit, §§ 3:34 to 3:63
- Defamation, §§ 4:15 to 4:19
- Emotional distress, §§ 5:14 to 5:25

PLEADINGS AND MOTIONS—Cont'd

- Insurance—bad faith, §§ 7:10 to 7:20; 7:15 to 7:17
- Legal malpractice, §§ 8:9; 8:10; 8:12; 8:13
- Local government tort liability, §§ 9:16 to 9:19
- Medical malpractice
 - causing wrongful death, § 17:22
 - negligence, §§ 10:24 to 10:31
- Motor vehicles—negligence, §§ 11:20 to 11:37; 11:32 to 11:34; 11:35 to 11:37
- Pedestrian struck by motor vehicle, § 11:27
- Possession of real property, §§ 13:10; 13:11
- Post-verdict motion, Amend pleadings
 - insurance—bad faith, § 7:13
- Rear end collision and speeding, § 11:28
- Safe place, §§ 15:21 to 15:41
- Tortious interference with contract, §§ 16:13 to 16:18
- Uninsured motorist coverage, § 7:14

POSSESSION OF REAL PROPERTY

- Generally, §§ 13:1 to 13:13
- Affirmative defenses, answers with, § 13:11
- Answers with affirmative defenses, § 13:11
- Claims
 - generally, § 13:3
 - counterclaims, § 13:7
 - eviction, § 13:4
- Complaints, § 13:10
- Counterclaims, § 13:7
- Defenses, § 13:6
- Eviction, § 13:4
- Forms
 - answers with affirmative defenses, § 13:11
 - complaints, § 13:10
 - jury instructions, § 13:12
 - special verdicts, § 13:13
- Jury
 - instructions, §§ 13:8; 13:12
 - verdicts and settlements, § 13:9
- Limitation of actions, § 13:2
- Pleadings and motions
 - answers with affirmative defenses, § 13:11
 - complaints, § 13:10
- Remedies, § 13:5
- Settlements, jury verdicts and, § 13:9
- Special verdicts, § 13:13

POST-CONCUSSION SYNDROME

- Emotional distress
 - settlements, jury verdicts, § 5:13

INDEX

PRETRIAL REPORT

- Defendant's
 - motor vehicle accident cases, § 11:50
 - rear end accident, § 11:52
 - uninsured motorist, § 11:54
 - wrongful death, § 17:36
- Plaintiff's
 - motor vehicle accident cases, § 11:49
 - rear end collision, § 11:51
 - uninsured motorist, § 11:53
- Wrongful death
 - plaintiff's, § 17:35

PRIVILEGE

- Defamation, § 4:9

PRODUCTS LIABILITY

- Generally, §§ 14:1 to 14:42
- Generally, §§ 14:1 to 14:42
- Amputation of foot by riding lawnmower
 - pleadings and motions, § 14:19
- Bankruptcy of manufacturer, § 14:42
- Claims, § 14:4
 - risk, § 14:5
- Complaints
 - premises liability, § 14:18
- Date of manufacture, § 14:2
 - injury, § 14:3
- Defenses, § 14:7
- Forms
 - complaints, § 14:17
- Jury instructions, § 14:8
- Jury verdicts and settlements, §§ 14:9 to 14:16
 - amputation of foot by riding lawnmower, § 14:12
 - defective automobile seat, § 14:15
 - fall settlement, § 14:13
 - hunter injured in fall from tree stand, § 14:16
 - scaffolding collapse, § 14:14
- Petition for approval of minor settlement, § 14:40
- Pleadings and motions
 - answer with affirmative defenses and cross-claims, §§ 14:25 to 14:33
 - complaints, §§ 14:17; 14:21 to 14:23
 - defective automobile seat, § 14:23
 - fall from tree stand, § 14:24
 - jury instructions, § 14:34
 - defective refrigerator, § 14:35
- Pretrial Report, § 14:41
- Remedies, § 14:6

PRODUCTS LIABILITY—Cont'd

Scaffolding collapse, § 14:20

Special verdict, §§ 14:36 to 14:39

PROTECTIVE ORDERS

Wrongful death, § 17:30

PUBLIC EMPLOYEES

Local government tort liability, § 9:9

Safe place, § 15:5

PUBLIC EMPLOYMENT

Safe place, § 15:5

PUBLIC FIGURES

Defamation, § 4:5

PUBLIC NUISANCE

Nuisance—Public Nuisance (this index)

PUBLIC OFFICERS

Local government tort liability, § 9:9

Safe place, § 15:5

PUNITIVE DAMAGES

Defamation, § 4:7

PURCHASE AGREEMENT

Contract actions—breach of contract, unjust enrichment, and quantum meruit,
jury verdicts and settlements, § 3:22

QUANTUM MERUIT

Contract Actions—Breach of Contract, Unjust Enrichment, and Quantum
Meruit (this index)

RADIOGRAM

Interpretation, verdict in malpractice claim, § 10:14

RECLAMATION OF FARMLAND

Jury verdicts and settlements, § 3:25

RECREATIONAL USE

Safe place, § 15:10

REFORMATION

Contract actions—breach of contract, unjust enrichment, and quantum meruit,
§ 3:8

REMEDIES

Abuse of process, § 1:4

Animal actions—damage caused by dog, § 2:7

Contract actions—breach of contract, unjust enrichment, and quantum meruit,
§§ 3:6 to 3:9

Defamation, § 4:6

Emotional distress, § 5:4

INDEX

REMEDIES—Cont'd

- False imprisonment, § 6:4
- Insurance—bad faith, § 7:5
- Legal malpractice, § 8:4
- Local government tort liability, § 9:7
- Medical malpractice—negligence, § 10:6
- Motor vehicles—negligence, § 11:7
- Possession of real property, § 13:5
- Safe place, § 15:8
- Tortious interference with contract, § 16:7
- Wrongful death, §§ 17:5; 17:6

REQUESTS TO BIFURCATE

- Insurance—bad faith, § 7:16

RESCISSION

- Contract actions—breach of contract, unjust enrichment, and quantum meruit, § 3:7

RESPONSES

- Emotional distress, motions in limine response, § 5:24

SAFE PLACE

- Generally, §§ 15:1 to 15:41
- Affirmative defenses, answers with, §§ 15:28; 15:29
- Airline ramp injury, § 15:12
- Answers
 - affirmative defenses, with, §§ 15:28; 15:29
 - motions to answer, § 15:33
- Carnival ride injury, §§ 15:19; 15:25; 15:38
- Change machine falls on patron, § 15:13
- Claims
 - generally, § 15:3
 - notices of unsafe condition, § 15:7
 - owners, § 15:6
 - places of employment, § 15:4
 - public employment, § 15:5
- Complaints, §§ 15:21 to 15:41; 15:30
- Contractor, action against, third party complaint, § 15:32
- Defenses
 - generally, § 15:9
 - recreational use, § 15:10
- Dismissal, motions for, §§ 15:33; 15:34
- Employees, public, § 15:5
- Employment
 - places of, § 15:4
 - public, § 15:5
- Falling objects
 - jury verdict and settlements, § 15:13
 - pleadings and motions, § 15:24

SAFE PLACE—Cont'd

Forms

- answers with affirmative defenses, §§ 15:28; 15:29
- carnival ride injury, §§ 15:25; 15:38
- complaints, §§ 15:21 to 15:41
- falling objects, § 15:24
- jury instructions, § 15:35
- motions to dismiss, § 15:34
- motions to dismiss and answer, § 15:33
- slip and fall, § 15:22
- special verdicts, §§ 15:36 to 15:38
- third-party complaint, § 15:30
- tripping over forklift, § 15:27
- worker's compensation carrier action, slip and fall, § 15:23

Ice, slip and fall, § 15:18

Jury

- instructions, §§ 15:11; 15:35
- verdicts and settlements, §§ 15:12 to 15:20

Leg fractures, delivery driver, § 15:14

Limitation of actions, § 15:2

Motions to dismiss

- generally, §§ 15:33; 15:34
- answer, § 15:33

Notices of unsafe condition, § 15:7

Officers, public, § 15:5

Owners, § 15:6

Parking lot slip, § 15:16

Places of employment, § 15:4

Pleadings and motions

- answers with affirmative defenses, §§ 15:28; 15:29
- carnival ride injury, § 15:25
- complaints, §§ 15:21 to 15:41
- falling objects, § 15:24
- injury in parking lot, § 15:21
- motions to dismiss, § 15:34
- motions to dismiss and answer, § 15:33
- slip and fall, §§ 15:22; 15:30
- slip and fall on ice, § 15:26
- third-party complaint, § 15:30

Public

- employment, § 15:5
- officers and employees, § 15:5

Recreational use, § 15:10

Remedies, § 15:8

Settlements

- jury verdicts, §§ 15:12 to 15:20
- stipulation and order for distribution of proceeds, § 15:41

INDEX

SAFE PLACE—Cont'd

Slip and fall

jury verdicts and settlements, §§ 15:16 to 15:18

pleadings and motions, § 15:22

worker's compensation carrier action, slip and fall, complaint, § 15:23

Special verdicts, §§ 15:36 to 15:38

Stipulation and order for distribution of proceeds, § 15:41

Third-party complaint, §§ 15:30; 15:32

Trip over display, § 15:15

Unsafe conditions, notices of, § 15:7

Use, recreational, § 15:10

Workplaces, § 15:4

SAFETY STATUTES

Motor vehicles—negligence, § 11:4

SATISFACTION

Contract actions—breach of contract, unjust enrichment, and quantum meruit, accord and satisfaction, § 3:17

SETTLEMENTS

Abuse of process, § 1:7

Animal actions—damage caused by dog, §§ 2:27; 2:29 to 2:31

Approval of settlement, petition in wrongful death suits, § 17:45

Contract actions—breach of contract, unjust enrichment, and quantum meruit, §§ 3:20 to 3:31

Defamation, §§ 4:13; 4:14

Domestic abuse, § 5:8

Emotional distress, §§ 5:7; 5:9; 5:10

False imprisonment, § 6:7

Insurance—bad faith, § 7:4

Legal malpractice, § 8:7

Local government tort liability, §§ 9:13 to 9:15

Medical malpractice

causing wrongful death, § 17:14

negligence, §§ 10:9 to 10:15

Motor vehicles

accident, § 7:8

negligence, §§ 11:10 to 11:19; 11:36

Possession of real property, § 13:9

Radiogram interpretation, verdict in malpractice claim, § 10:14

Safe place, §§ 15:12 to 15:20; 15:41

Surgical injuries to leg, medical malpractice—negligence, § 10:15

Tortious interference with contract, §§ 16:10 to 16:12

Wrongful death, §§ 17:10 to 17:19; 17:33; 17:34; 17:45

SLIP AND FALL

Safe place, §§ 15:16 to 15:18; 15:22; 15:23

SPECIAL NEEDS TRUSTS

Motor vehicles—negligence, § 11:37

SPECIAL VERDICTS

Abuse of process, § 1:13

Animal actions—damage caused by dog, §§ 2:34; 2:35

Awards, emotional distress, § 5:30

Bariatric surgeon, malpractice claims against, § 10:39

Carnival ride injury, § 15:38

Chiropractors, § 10:43

Contract actions—breach of contract, unjust enrichment, and quantum meruit,
§§ 3:56 to 3:59

Damages, § 15:40

Death of twin fetuses, medical malpractice—negligence, § 10:40

Defamation, §§ 4:21; 4:22

Defense verdict, § 10:42

Emotional distress, § 5:28

Failure to pay account

unjust enrichment, § 3:63

Failure to pay for services provided, § 3:62

Failure to treat patient's deteriorating post-op condition, § 17:44

Gauze pads left in patient, § 10:37

Infant birth injuries, § 10:38

Insurance—bad faith, § 7:19

Insurer liability for contribution

indemnification for medical malpractice judgment, § 10:45

Inventor, alleged breach of contract, § 3:60

Legal malpractice, § 8:15

Liability, § 15:39

Local government tort liability, § 9:21

Medical malpractice

claim, wrongful death, § 17:41

negligence, §§ 10:36 to 10:44

Motor vehicles—negligence, §§ 11:42 to 11:48

Negligent treatment, § 10:36

Possession of real property, § 13:13

Safe place, §§ 15:36 to 15:38

Sale of house, breach of contract, § 3:59

Technical specifications, § 3:61

Tortious interference with contract, § 16:20

Uninsured motorist, § 11:47

Uninsured motorist coverage

insurance—bad faith, § 7:20

Utero death, § 10:41

SPECIFIC PERFORMANCE

Contract actions—breach of contract, unjust enrichment, and quantum meruit,
§ 3:9

INDEX

STANDING TO SUE

Wrongful death, § 17:4

STATUTE OF LIMITATIONS

Limitation of Actions (this index)

STAYS OF PROCEEDINGS

Insurance—bad faith, § 7:17

STRICT LIABILITY

Products Liability—Strict Liability (this index)

SUBCONTRACTORS

Contract actions—breach of contract, unjust enrichment, and quantum meruit,
§ 3:36

SUMMARY JUDGMENT

Abuse of process, § 1:11

Animal actions—damage caused by dog, § 2:23

SURGICAL INJURY

Medical malpractice—negligence, § 10:15

TECHNICAL SPECIFICATIONS

Contract Actions—Breach of Contract, Unjust enrichment, and Quantum
Meruit (this index)

THIRD-PARTY COMPLAINTS

Animal actions—damage caused by dog, § 2:20

Safe place, § 15:30

TORTIOUS INTERFERENCE WITH CONTRACT

Generally, §§ 16:1 to 16:20

Affirmative defenses, answers with, §§ 16:16; 16:17

Answers with affirmative defenses, §§ 16:16; 16:17

Causation, § 16:6

Claims

generally, § 16:3

improper means, § 16:5

inducing or otherwise causing, § 16:6

intent, § 16:4

Complaints, §§ 16:13 to 16:15

Defenses, § 16:8

Dismissal, motions for, § 16:18

Forms

answers with affirmative defenses, §§ 16:16; 16:17

complaints, §§ 16:13; 16:15

jury instructions, § 16:19

motions to dismiss, § 16:18

special verdicts, § 16:20

Improper means, § 16:5

Inducing or otherwise causing, § 16:6

TORTIOUS INTERFERENCE WITH CONTRACT—Cont'd

Intent, § 16:4

Jury

instructions, §§ 16:9; 16:19

verdicts and settlements, §§ 16:10 to 16:12

Limitation of actions, § 16:2

Motions to dismiss, § 16:18

Pleadings and motions

answers with affirmative defenses, §§ 16:16; 16:17

complaints, §§ 16:13 to 16:15

motions to dismiss, § 16:18

Remedies, § 16:7

Settlements, jury verdicts and, §§ 16:10 to 16:13

Special verdicts, § 16:20

TRUSTS

Motor vehicles—negligence, special needs trusts, § 11:37

TRUTH

Defamation, § 4:10

UNJUST ENRICHMENT

Contract Actions—Breach of Contract, Unjust Enrichment, and Quantum

Meruit (this index)

UNSAFE CONDITIONS

Safe place, § 15:7

USE, RECREATIONAL

Safe place, § 15:10

UTERO DEATH

Jury verdicts and settlements, § 10:18

Pleadings and motions, complaint, § 10:26

Special verdicts, § 10:41

VOIDABLE CONTRACTS

Contract actions—breach of contract, unjust enrichment, and quantum meruit,
§ 3:15

WAIVER

Contract actions—breach of contract, unjust enrichment, and quantum meruit,
§ 3:11

Local government tort liability, immunity, § 9:11

WHO MAY SUE

Wrongful death, § 17:4

WISCONSIN STATUTES § 174.02(1)

Animal actions—damage caused by dog, §§ 2:4; 2:5

WORKERS' COMPENSATION

Animal actions—damage caused by dog, worker's compensation carrier against
cat owner, § 2:19

INDEX

WORKERS' COMPENSATION—Cont'd

Safe space, worker's compensation carrier action, slip and fall, complaint,
§ 15:23

WORKPLACES

Safe place, § 15:4

WRONGFUL DEATH

Generally, §§ 17:1 to 17:50

Approval of minor settlements, motions for, § 17:34

Articulated boom lift operator

million dollar settlement, § 17:18

Bicycles and bicyclists

bicycle strike causing wrongful death, complaint, § 17:20

bicyclist, death of in crosswalk, complaint, § 17:24

bicyclist's death, jury verdicts and settlements, § 17:16

Briefs

support of motion in limine, in, § 17:31

support of motion to dismiss, in, § 17:32

Children, death of, § 17:6

Claims

generally, § 17:3

counterclaims, § 17:8

cross-claims, § 17:29

who may sue, § 17:4

Complaints

form, §§ 10:25; 10:26

Construction death

jury verdicts and settlements, § 17:15

pleadings and motions, complaints, § 17:23

stipulation and settlement, § 17:47

Counterclaims, § 17:8

Cross-claims, § 17:29

Death of children, § 17:6

Death of twin fetuses, medical malpractice—negligence

complaint, § 10:25

jury verdicts and settlements, § 10:13

special verdict, medical malpractice, § 10:40

Defenses, § 17:7

Dismissal, motion for, briefs in support of, § 17:32

Forms

briefs in support of motion in limine, § 17:31

briefs in support of motion to dismiss, § 17:32

complaints, § 10:25

cross-claims, § 17:29

jury

instructions, § 17:37

verdicts and settlements, § 10:13

WRONGFUL DEATH—Cont'd

Forms—Cont'd

medical malpractice

claim, special verdicts, §§ 10:38; 17:41

complaints, §§ 10:25; 17:22

motions for approval of minor settlements, § 17:34

offers of settlement, § 17:33

protective orders, § 17:30

special verdicts, § 10:38

Jury

instructions, §§ 17:9; 17:37

verdicts and settlements, §§ 10:13; 10:18; 17:10 to 17:19

Limitation of actions, § 17:2

Medical malpractice

complaints, §§ 10:25; 17:22

jury verdicts and settlements, §§ 10:13; 17:14

special verdicts, §§ 10:38; 17:41

Minor settlements, motions for approval of, § 17:34

Motions

approval of minor settlements, § 17:34

dismiss, briefs in support of, § 17:32

in limine, briefs in support of, § 17:31

Nursing homes

jury verdicts and settlements, § 17:17

pleadings and motions, complaints, § 17:25

Offers of settlement, § 17:33

Order for dismissal, § 17:50

Pleadings and motions

briefs in support of motion

dismiss, § 17:32

in limine, § 17:31

cross-claims, § 17:29

failure to treat patient, deteriorating post-op condition, §§ 17:26; 17:27

motions for approval of minor settlements, § 17:34

offers of settlement, § 17:33

protective orders, § 17:30

Pretrial report

defendant's, § 17:36

plaintiff's, § 17:35

Protective orders, § 17:30

Remedies

generally, § 17:5

death of children, § 17:6

Settlements

approval of minor, motions for, § 17:34

construction death, §§ 17:15; 17:47

jury verdicts and, §§ 17:10 to 17:19

INDEX

WRONGFUL DEATH—Cont'd

Settlements—Cont'd

medical malpractice, § 17:14

offers of, § 17:33

petition for approval, § 17:45

stipulation and settlement, § 17:47

Special verdicts

form, §§ 10:38; 10:41

Standing to sue, § 17:4

Stipulation and order for dismissal, § 17:46

Utero death, §§ 10:18; 10:26; 10:41

Who may sue, § 17:4