## **Table of Contents**

§ 2:11

### Volume 16

CHA	PTER 1. FALSE IMPRISONMENT.	1
I. TI	EXT	
\$ 1:1 \$ 1:2 \$ 1:3 \$ 1:4 \$ 1:5 \$ 1:6 \$ 1:7 \$ 1:8	Elements of action Authority Remedies—Compensatory damages —Punitive and exemplary damages Limitation of actions: Statute of limitations Defenses: Limitations Defenses: Detention of business patron or library patron Checklist	
II. F	CORMS	
	—Plaintiff's proposed jury instructions	135
I. TI	EXT	
\$ 2:1 \$ 2:2 \$ 2:3 \$ 2:4 \$ 2:5 \$ 2:6 \$ 2:7 \$ 2:8 \$ 2:9 \$ 2:10	Elements of action Authority Remedies—Compensatory damages —Punitive and exemplary damages Limitation of actions: Statute of limitations Defenses—Limitations —Defendant is not "owner" or "keeper" —Victim not lawfully on property —Provocation of dog by victim Checklist	
II. F	ORMS	

Sample trial court documents—Sample complaint

	<ul> <li>—Plaintiff's proposed jury instructions</li> <li>—Defendant's proposed jury instructions</li> <li>Jury verdict, bench trial, and settlement summaries</li> </ul>
	PTER 3. TORTIOUS INTERFERENCE I CONTRACTUAL RELATIONS 247
I. TE	XT
\$ 3:1 \$ 3:2 \$ 3:3 \$ 3:4 \$ 3:5 \$ 3:6 \$ 3:7 \$ 3:8 \$ 3:9 \$ 3:10	Elements of action Authority Remedies—Compensatory damages —Punitive or exemplary damages Limitation of actions: Statute of limitations Defenses—Limitations —Legally protected interest —Judicial or quasi-judicial proceeding Special motion to dismiss Checklist
II. F	ORMS
\$ 3:11 \$ 3:12 \$ 3:13 \$ 3:14 \$ 3:15	Sample trial court documents—Sample complaint —Sample answer containing affirmative defenses —Plaintiff's proposed jury instructions —Defendant's proposed jury instructions Jury verdict, bench trial, and settlement summaries
CHAI	PTER 4. CONTRACT ACTIONS 375
A. C(	ONTRACT ACTIONS—BREACH OF CONTRACT
I.	TEXT
\$ 4:1 \$ 4:2 \$ 4:3 \$ 4:4 \$ 4:5 \$ 4:6 \$ 4:7 \$ 4:8 \$ 4:9 \$ 4:10 \$ 4:11	

§ 2:12 —Sample answer containing affirmative defenses

#### Table of Contents

- $\S~4:12$  —Arbitration and award
- § 4:13 —Failure to perform a condition precedent
- § 4:14 —Mistake
- § 4:15 —Unconscionability
- § 4:16 —Void as against public policy
- § 4:17 —Impossibility or impracticability of performance
- § 4:18 —Waiver
- § 4:19 —Failure to mitigate damages
- § 4:20 —Frustration of purpose
- § 4:21 —Repudiation (anticipatory breach)
- § 4:22 —Modification
- § 4:23 Counterclaims
- § 4:24 Checklist

#### II. FORMS

- § 4:25 Sample trial court documents—Sample complaint
- § 4:26 —Sample answer containing affirmative defenses
- § 4:27 —Plaintiff's proposed jury instructions
- § 4:28 —Defendant's proposed jury instructions
- § 4:29 Jury verdict, bench trial, and settlement summaries

# B. CONTRACT ACTIONS—PROMISSORY ESTOPPEL (DETRIMENTAL RELIANCE)

#### I. TEXT

- § 4:30 Elements of action
- § 4:31 Authority
- § 4:32 Remedies—Compensatory damages
- § 4:33 —Punitive or exemplary damages
- § 4:34 Limitation of actions: Statute of limitations
- § 4:35 Defenses—Limitations
- § 4:36 —Absence of promise
- § 4:37 —Unjustified reliance on promise
- § 4:38 Checklist

#### II. FORMS

- § 4:39 Sample trial court documents—Sample complaint
- § 4:40 —Sample answer containing affirmative defenses
- § 4:41 —Plaintiff's proposed jury instructions
- § 4:42 —Defendant's proposed jury instructions
- § 4:43 Jury verdict, bench trial, and settlement summaries

CHA	PTER 5. DRAM SHOP LIABILITY.	577
I. T	EXT	
\$ 5:1 \$ 5:2 \$ 5:3 \$ 5:4 \$ 5:5 \$ 5:6 \$ 5:7	Elements of action Authority Remedies—Compensatory damages Limitation of actions: Statute of limitations Defenses: Limitations Third-party complaint by dram shop owner Checklist	
II. F	FORMS	
§ 5:8 § 5:9 § 5:10 § 5:11 § 5:12	—Defendant's proposed jury instructions	
WRC	PTER 6. EMPLOYMENT ACTIONS— ONGFUL DISCHARGE	651
	EXT	
\$ 6:1 \$ 6:2 \$ 6:3 \$ 6:4 \$ 6:5 \$ 6:6 \$ 6:7 \$ 6:8	Elements of action Authority Remedies—Compensatory damages —Exemplary damages Limitation of actions: Statute of limitations Defenses—Limitations —Legitimate reason for discharge Checklist	
II. F	FORMS	
\$ 6:9 \$ 6:10 \$ 6:11 \$ 6:12 \$ 6:13	—Sample answer containing affirmative defenses —Plaintiff's proposed jury instructions —Defendant's proposed jury instructions	
СНА	PTER 7. ABUSE OF PROCESS	785
I. T	EXT	
§ 7:1	Elements of action	

§ 7:2	Authority	
§ 7:3	Remedies—Compensatory damages	
§ 7:4	—Punitive or exemplary damages	
§ 7:5	Limitation of actions: Statute of limitations	
§ 7:6	Defenses—Limitations	
§ 7:7	—Lack of issuance of process	
§ 7:8	Checklist	
II. I	FORMS	
§ 7:9	Sample trial court documents—Sample complaint	
§ 7:10		
§ 7:11		
§ 7:12		
§ 7:13	•	
CHA	PTER 8. BREACH OF FIDUCIARY	
DUI	<b>'Y</b>	951
I. T	EXT	
§ 8:1	Elements of action	
§ 8:2	Authority	
§ 8:3	Remedies—Compensatory damages	
§ 8:4		
§ 8:5	Limitation of actions: Statute of limitations	
§ 8:6	Defenses: Limitations	
§ 8:7	Checklist	
II. I	FORMS	
§ 8:8	Sample trial court documents—Sample complaint	
§ 8:9		
§ 8:10		
§ 8:11	—Defendant's proposed jury instructions	
§ 8:12	Jury verdict, bench trial, and settlement summaries	
CHA	APTER 9. MISREPRESENTATION	1163
I. T	EXT	
§ 9:1	Elements of action	
§ 9:2	Authority	
§ 9:3	Remedies—Compensatory damages	
§ 9:4	—Punitive or exemplary damages	
§ 9:5	Limitation of actions: Statute of limitations	
	OI GOVIOLO. COGOGO OI IIIIIIOGUIOID	

Table of Contents

§ 9:6 § 9:7 § 9:8 § 9:9 § 9:10	Defenses—Limitations —Comparative negligence —Representations made in judicial proceedings Counterclaims Checklist	
II. F	ORMS	
§ 9:11 § 9:12 § 9:13 § 9:14 § 9:15	Sample trial court documents—Sample complaint —Sample answer containing affirmative defenses —Plaintiff's proposed jury instructions —Defendant's proposed jury instructions Jury verdict, bench trial, and settlement summaries	
	PTER 10. GOVERNMENTAL TORT	1247
I. TE	XT	
§ 10:4 § 10:5	Elements of action Authority Remedies—Compensatory damages Limitation of actions: Statute of limitations Defenses—Limitations —Discretionary action —Governmental action —Public duty doctrine Checklist	
II. F	ORMS	
§ 10:10 § 10:11 § 10:12 § 10:13 § 10:14	Sample trial court documents—Sample complaint —Sample answer containing affirmative defenses —Plaintiff's proposed jury instructions —Defendant's proposed jury instructions Jury verdict, bench trial, and settlement summaries	
	PTER 11. CONNECTICUT UNFAIR DE PRACTICES ACT (CUTPA)	1491
I. TE	XT	
§ 11:1 § 11:2 § 11:3 § 11:4	Elements of action Authority Jury instructions Remedies—Compensatory damages	

Table of	CONTENTS
§ 11:5 § 11:6 § 11:7 § 11:8 § 11:9 § 11:10	<ul> <li>—Punitive damages</li> <li>Limitation of actions: Statute of limitations</li> <li>Defenses—Limitations</li> <li>—Statutory exceptions</li> <li>—Other</li> <li>Checklist</li> </ul>
II. F	ORMS
§ 11:11 § 11:12 § 11:13 § 11:14 § 11:15	Sample trial court documents—Sample complaint —Sample answer containing affirmative defenses —Plaintiff's proposed jury instructions —Defendant's proposed jury instructions Jury verdict, bench trial, and settlement summaries
	Volume 16A
	PTER 12. INTENTIONAL INFLICTION MOTIONAL DISTRESS 1
§ 12:5	Elements of action Authority Remedies—Compensatory damages —Injunctive relief —Punitive or exemplary damages Limitation of actions: Statute of limitations Defenses—Limitations —Litigation privilege Checklist
II. F	ORMS
§ 12:13	
EMO	PTER 13. NEGLIGENT INFLICTION OF TIONAL DISTRESS
I. TE	XT

§ 13:1 Elements of action

§ 13:2	Authority
§ 13:3	Remedies—Compensatory damages
§ 13:4	—Punitive or exemplary damages
§ 13:5	Limitation of actions: Statute of limitations
§ 13:6	Defenses—Limitations
§ 13:7	—Workers' Compensation Act
§ 13:8	—Litigation privilege
§ 13:9	Checklist
II. F	ORMS
§ 13:10	Sample trial court documents—Sample complaint
§ 13:11	—Sample answer containing affirmative defenses
§ 13:12	—Plaintiff's proposed jury instructions
§ 13:13	—Defendant's proposed jury instructions
§ 13:14	Jury verdict, bench trial, and settlement summaries
CHA	PTER 14. LIBEL AND SLANDER
_	ONS (DEFAMATION ACTIONS) 259
I. TE	XT
§ 14:1	Elements of action
§ 14:2	Authority
§ 14:3	Remedies—Compensatory damages
§ 14:4	—Punitive or exemplary damages
§ 14:5	—Nominal damages
§ 14:6	Limitation of actions: Statute of limitations
§ 14:7	Defenses—Limitations
§ 14:8	—Truth of statement
§ 14:9	—Absolute privilege
§ 14:10	—Conditional (qualified) privilege
§ 14:11	—Plaintiff is "libel proof"
§ 14:12	—Communications Decency Act
§ 14:13	Special motion to dismiss
§ 14:14	Checklist
II. F	ORMS
§ 14:15	Sample trial court documents—Sample complaint
§ 14:16	—Sample answer containing affirmative defenses
§ 14:17	—Plaintiff's proposed jury instructions
§ 14:18	—Defendant's proposed jury instructions
§ 14:19	Jury verdict, bench trial, and settlement summaries

	PTER 15. MALICIOUS PROSECUTION	)N/
VEXA	TIOUS LITIGATION	401
I. TE	XT	
\$ 15:2 \$ 15:3 \$ 15:4 \$ 15:5 \$ 15:6 \$ 15:7 \$ 15:8	Elements of action Authority Remedies—Compensatory damages —Punitive or exemplary damages Limitation of actions: Statute of limitations Defenses—Limitations —Existence of probable cause —Advice of counsel Checklist	
II. FO	ORMS	
§ 15:10 § 15:11 § 15:12 § 15:13 § 15:14	Sample trial court documents—Sample complaint —Sample answer containing affirmative defenses —Plaintiff's proposed jury instructions —Defendant's proposed jury instructions Jury verdict, bench trial, and settlement summaries	
	PTER 16. MEDICAL PRACTICE	499
I. TE	XT	
\$ 16:1 \$ 16:2 \$ 16:3 \$ 16:4 \$ 16:5 \$ 16:6 \$ 16:7 \$ 16:8 \$ 16:9 \$ 16:10 \$ 16:11	Elements of action Authority; good faith certificate Authority; vicarious liability Remedies—Compensatory damages —Noneconomic damages —Punitive or exemplary damages —Bystander —Loss of parental consortium Limitation of actions: Statute of limitations Defenses: Limitations Checklists	
II. FO	ORMS	
§ 16:12 § 16:13 § 16:14	Sample trial court documents—Sample complaint —Sample answer containing affirmative defenses —Plaintiff's proposed jury instructions	

§ 16:15 § 16:16	—Defendant's proposed jury instructions Jury verdict, bench trial, and settlement summaries	
	PTER 17. NEGLIGENCE ONS	671
I. TE	XT	
\$ 17:1 \$ 17:2 \$ 17:3 \$ 17:4 \$ 17:5 \$ 17:6 \$ 17:7 \$ 17:8 \$ 17:9 \$ 17:10 \$ 17:11 \$ 17:12	Elements of action Authority Remedies—Compensatory damages —Punitive or exemplary damages —Medical monitoring Limitation of actions: Statute of limitations Defenses—Limitations —Wrongful conduct rule —Other defenses Comparative negligence Federal preemption Checklist	
II. FO	ORMS	
\$ 17:13 \$ 17:14 \$ 17:15 \$ 17:16 \$ 17:17	—Sample answer containing affirmative defenses —Plaintiff's proposed jury instructions	
CHAI	PTER 18. NUISANCE ACTIONS	905
I. TE	XT	
§ 18:3	· · · · · · · · · · · · · · · · · · ·	
II. FO	ORMS	
§ 18:9 § 18:10	Sample trial court documents—Sample complaint—Sample answer containing affirmative defenses	

m		
TABLE	OF	CONTENTS

	<ul> <li>—Plaintiff's proposed jury instructions</li> <li>—Defendant's proposed jury instructions</li> <li>Jury verdict, bench trial, and settlement summaries</li> </ul>	
CHAI	PTER 19. PREMISES LIABILITY	1033
I. TE	XT	
\$ 19:1 \$ 19:2 \$ 19:3 \$ 19:4 \$ 19:5 \$ 19:6 \$ 19:7 \$ 19:8 \$ 19:9 \$ 19:10 \$ 19:11	Elements of action Authority Remedies—Compensatory damages —Punitive or exemplary damages Limitation of actions: Statute of limitations Defenses: Limitations Comparative negligence The "mode of operation" rule "Firefighter's rule" Checklist "Ongoing storm doctrine"	
II. FO	ORMS	
<ul><li>§ 19:12</li><li>§ 19:13</li><li>§ 19:14</li><li>§ 19:15</li><li>§ 19:16</li></ul>	Sample trial court documents—Sample complaint —Sample answer containing affirmative defenses —Plaintiff's proposed jury instructions —Defendant's proposed jury instructions Jury verdict, bench trial, and settlement summaries	
СНА	PTER 20. PRIVACY ACTIONS	1159
I. TE	XT	
§ 20:3 § 20:4 § 20:5 § 20:6	Elements of action Authority Remedies—Compensatory damages —Punitive or exemplary damages Limitation of actions: Statute of limitations Defenses—Limitations —False light Checklist	
II. FO	ORMS	
§ 20:9 § 20:10 § 20:11	Sample trial court documents—Sample complaint —Sample answer containing affirmative defenses —Plaintiff's proposed jury instructions	

§ 20:12 § 20:13		
	PTER 21. PRODUCT LIABILITY: THE DUCT LIABILITY ACT	E 1291
I. TE	XT	
\$ 21:1 \$ 21:2 \$ 21:3 \$ 21:4 \$ 21:5 \$ 21:6 \$ 21:7 \$ 21:8 \$ 21:9 \$ 21:10	Elements of action Authority Remedies—Compensatory damages —Punitive damages Limitation of actions: Statute of limitations Defenses—Limitations —Preemption by federal statute —Comparative responsibility —Alteration or modification by a third party Checklist	
II. FO	ORMS	
\$ 21:11 \$ 21:12 \$ 21:13 \$ 21:14 \$ 21:15	Sample trial court documents—Sample complaint —Sample answer containing affirmative defenses —Plaintiff's proposed jury instructions —Defendant's proposed jury instructions Jury verdict, bench trial, and settlement summaries	
	PTER 22. WRONGFUL DEATH/ VIVAL ACTIONS	1567
I. TE	XT	
§ 22:3	Elements of action Authority Remedies—Compensatory damages Limitation of actions: Statute of limitations Defenses—Limitations Comparative negligence Checklists	
II. FO	ORMS	
§ 22:8 § 22:9 § 22:10 § 22:11	Sample trial court documents—Sample complaint —Sample answer containing affirmative defenses —Plaintiff's proposed jury instructions —Defendant's proposed jury instructions	

§ 22:12	Jury verdict, bench trial, and settlement summaries	
	PTER 23. THE CONNECTICUT TRUST ACT	1703
I. TE	XT	
\$ 23:1 \$ 23:2 \$ 23:3 \$ 23:4 \$ 23:5 \$ 23:6 \$ 23:7 \$ 23:8	Elements of action Authority Remedies Limitation of actions—Statute of limitations Defenses—Statute of limitations —Legitimate and legal business purposes —Contracts, combinations, or conspiracies Checklist	
II. F	ORMS	
§ 23:9 § 23:10 § 23:11	Sample trial court documents—Sample complaint—Sample answer containing affirmative defenses Jury verdict, bench trial, and settlement summaries	
CHA	PTER 24. STATUTORY THEFT	1771
I. TE	XT	
\$ 24:1 \$ 24:2 \$ 24:3 \$ 24:4 \$ 24:5 \$ 24:6 \$ 24:7	Elements of action Authority Remedies—Damages Limitation of actions—Statute of limitations Defenses: Limitations Defenses—Litigation privilege Checklist	
II. F	ORMS	
\$ 24:8 \$ 24:9 \$ 24:10 \$ 24:11 \$ 24:12	Sample trial court documents—Sample complaint —Sample answer containing affirmative defenses —Plaintiff's proposed jury instructions —Defendant's proposed jury instructions Jury verdict, bench trial, and settlement summaries	

**Table of Laws and Rules** 

**Table of Cases** 

Index