

Index

ABUSE OF PROCESS ACTIONS

Generally, §§ 1:1 to 1:20
Affirmative defenses, forms, § 1:15
Answer, form of, §§ 1:14, 1:15
Authority, § 1:2
Checklists, § 1:9
Compensatory damages remedies, § 1:4
Complaint sample forms, §§ 1:10 to 1:13
Counterclaims, forms, §§ 1:14, 1:15
Defenses, §§ 1:7, 1:8
Forms
 Answer containing affirmative defenses and counterclaims, § 1:15
 Complaint samples, §§ 1:10 to 1:13
 Lawsuit between brother, brother-in-law, no award, jury verdict summaries, §§ 1:19, 1:20
 Loan default, creditor wins judgment, jury verdict summaries, § 1:20
 Requested jury instructions, sample, §§ 1:16, 1:17
 Special verdict form, sample, § 1:18
Jury instructions forms, §§ 1:3, 1:16, 1:17
Jury verdict summaries
 Lawsuit between brother, brother-in-law, no award, §§ 1:19, 1:20
 Loan default, creditor wins judgment, § 1:20
 Lack of issuance of process, § 1:8
 Limitation of actions, §§ 1:6, 1:7
 Punitive damages remedies, § 1:5
 Special verdict form, sample, § 1:18
 Statute of limitations, § 1:6
 Verdict forms, § 1:3

ACCORD AND SATISFACTION

Contract actions, § 4:10

ACTIONS AND REMEDIES

Remedies, this index

ADVERSE POSSESSION ACTIONS

Real property actions, § 21:2

ADVICE OF COUNSEL

Malicious prosecution, § 15:9

AFFIRMATIVE DEFENSES FORMS

Abuse of process actions, § 1:15
Business torts, § 3:38
Counterclaims, product liability, § 20:22
Dram shop liability, §§ 5:17, 5:18
Fiduciary duty, § 8:24
Fraud, §§ 9:20, 9:22, 9:23
Government tort liability, §§ 10:15 to 10:17
Insurance actions, § 11:19
Legal malpractice, §§ 13:18, 13:19
Malicious prosecution, §§ 15:17, 15:18
Medical malpractice, §§ 16:19, 16:20
Negligence, §§ 17:16 to 17:18
Nuisance, §§ 18:19, 18:20
Product liability, § 20:21
Real property actions, §§ 21:20, 21:24
Wrongful discharge, § 6:21

AGE DISCRIMINATION

Wrongful discharge, § 6:16

AGREEMENTS

Contract Actions, this index

AIRCRAFTS

Engine, manufacturer of, crashed airplaine, product liability, § 20:30

ALCOHOLIC BEVERAGES

Dram Shop Liability, this index

ANESTHESIOLOGISTS

Hospitals, wrongful discharge, **§ 6:62**

ANIMAL ACTIONS

Generally, §§ **2:1 to 2:60**

Answer, form of, **§ 2:14**

Authority, **§ 2:2**

Bicycle accident involving dog, **§ 2:60**

Checklists, **§ 2:9**

Compensatory damages remedies, **§ 2:4**

Complaint forms, §§ **2:11 to 2:13**

Cross-motions, findings on, **§ 2:18**

Defenses, §§ **2:7, 2:8**

Dog bite case

Generally, **§ 2:59**

Adult plaintiff, **§ 2:57**

Award, **§ 2:51**

Landscaper, **§ 2:58**

Minor's dog bite, §§ **2:53, 2:56**

Pit bull, **§ 2:55**

Unprovoked, St. Benard, **§ 2:54**

UPS deliveryman, award, **§ 2:52**

Forms

Answer, **§ 2:14**

Complaint for dog bite, §§ **2:10, 2:12, 2:13**

Cross-motions, findings on, **§ 2:18**

Joint statement of the case, **§ 2:17**

Jury instruction, §§ **2:3, 2:15, 2:19**

Jury instruction list, **§ 2:16**

Jury verdict, §§ **2:3, 2:45 to 2:47**

Jury verdict summaries, §§ **2:30, 2:32 to 2:41, 2:44, 2:48, 2:49, 2:55**

Settlement summaries, §§ **2:42, 2:44, 2:50, 2:53**

Special verdict form, §§ **2:24 to 2:27, 2:31**

Verdict. Jury verdict, above in this group

Verdict form, §§ **2:20 to 2:23, 2:28**

Verdict summaries, §§ **2:55 to 2:60**

ANIMAL ACTIONS—Cont'd

Infection at petting zoo, complaint form, **§ 2:11**

Joint statement of the case, **§ 2:17**

Jury instruction list, **§ 2:16**

Jury instructions, §§ **2:3, 2:19, 2:20**

Jury verdict. Forms, above

Jury verdict report, §§ **2:45 to 2:47**

Jury verdict summaries, §§ **2:30, 2:32 to 2:41, 2:45, 2:48, 2:49, 2:54 to 2:60**

Limitation of actions, §§ **2:6, 2:7**

Provocation defense, **§ 2:8**

Punitive damages remedies, **§ 2:5**

Settlement summaries, §§ **2:42, 2:50, 2:53**

Special verdict form, §§ **2:24 to 2:27, 2:31**

Statute of limitations, §§ **2:6, 2:7**

Verdict. Forms, above

Verdict form, §§ **2:20 to 2:23, 2:28**

ANSWER FORMS

Abuse of process actions, §§ **1:14, 1:15**

Animal actions, **§ 2:14**

Business torts, §§ **3:35, 3:38**

Contract actions, §§ **4:39 to 4:45**

Dram shop liability, §§ **5:16, 5:17, 5:18**

Fiduciary duty, §§ **8:24, 8:25**

Fraud, §§ **9:20, 9:22, 9:23**

Government tort liability, §§ **10:15 to 10:17**

Insurance actions, §§ **11:17 to 11:19**

Intentional infliction of emotional distress, **§ 12:18**

Legal malpractice, §§ **13:18 to 13:21**

Malicious prosecution, §§ **15:17, 15:18**

Medical malpractice, §§ **16:19, 16:20**

Negligence, §§ **17:16 to 17:18**

Nuisance, §§ **18:19, 18:20**

Premises liability, §§ **19:13, 19:14**

Product liability, **§ 20:21**

Real property actions, §§ **21:23 to 21:26**

Wrongful death actions, §§ **22:24 to 22:26**

INDEX

ANSWER FORMS—Cont'd
Wrongful discharge, § 6:21

ASSUMPTION OF RISK
Dram shop liability, defenses, § 5:9
Negligence, § 17:9
Premises liability, § 19:8

AUTOMOBILES
Motor Vehicle Accidents, this index

BENCH TRIAL RESULT
Business torts, § 3:75
Fiduciary duty, § 8:52
Real property actions, §§ 21:31, 21:32, 21:38

BOUNDARY ACTIONS
Real property actions, § 21:3

BREACH OF CONTRACT
Contract actions, §§ 4:72, 4:75, 4:105

BREACH OF FIDUCIARY DUTY
Business torts, § 3:6

BUSINESS TORTS
Generally, §§ 3:1 to 3:78
Affirmative defenses forms, § 3:38
Answer, form of, § 3:38
Authority, § 3:7
Bench trial summaries, § 3:75
Breach of fiduciary duty, § 3:6
Buy-out, demand for, § 3:34
Checklists, § 3:15
Compensatory damages, § 3:9
Contract, interference with, §§ 3:2, 3:77
Contract, Interference with. Forms, below
Conversion, § 3:77
Counterclaim forms, §§ 3:36, 3:38
Counterclaims, § 3:14
Defamation
Generally, § 3:5
Forms, below
Defenses, §§ 3:12, 3:13
Demand for buy-out, § 3:34
Forms
Generally, §§ 3:16 to 3:78

BUSINESS TORTS—Cont'd
Forms—Cont'd
Answer, form of, § 3:35
Answer containing affirmative defense and multiple count counterclaim, § 3:38
Bench trial summaries, § 3:75
Buy-out, demand for, § 3:34
Complaints, §§ 3:16 to 3:34, 3:37
Demand for buy-out, § 3:34
Jury instructions, §§ 3:39 to 3:48
Jury verdict reports, §§ 3:59 to 3:63
Jury verdict summaries, §§ 3:52 to 3:55, 3:64 to 3:74, 3:76 to 3:78
Multiple counts
Answer to, §§ 3:35, 3:36
Complaint with, §§ 3:26 to 3:33
Counterclaim, § 3:36
Jury instructions, §§ 3:39 to 3:41
Sample trial documents, §§ 3:16 to 3:51, 3:56 to 3:58
Special verdict forms, §§ 3:49 to 3:51
Tortious interference with contract, complaint form, § 3:31
Trial documents, samples, §§ 3:16 to 3:51, 3:56 to 3:58
Fraud, § 3:6
Jury instructions forms, §§ 3:8, 3:39 to 3:48
Jury verdict reports, §§ 3:59 to 3:63
Jury verdict summaries, §§ 3:52 to 3:55, 3:64 to 3:74, 3:76 to 3:78
Libel. Defamation, above
Limitation of actions, §§ 3:11, 3:12
Privileged or proper conduct, defense of, § 3:13
Punitive damages, § 3:10
Remedies, §§ 3:9, 3:10
Sample trial documents. Forms, above
Slander. Defamation, above
Special verdict forms, §§ 3:49 to 3:51
Statute of limitations, § 3:11

BUSINESS TORTS—Cont'd

Tortious interference with contract, § 3:2
Tortious interference with prospective advantage, § 3:3
Trade secrets, §§ 3:4, 3:24, 3:25, 3:46, 3:49
Trial documents, samples, §§ 3:56 to 3:58
Verdict forms, § 3:8

CASE SETTLEMENT SUMMARY

Wrongful discharge, § 6:54

CHECKLISTS

Abuse of process actions, § 1:9
Animal actions, § 2:9
Business torts, § 3:15
Contract actions, § 4:28
Dram shop liability, § 5:10
False imprisonment, § 7:11
Fiduciary duty, § 8:10
Fraud, § 9:9
Government tort liability, § 10:10
Insurance actions, § 11:8
Intentional infliction of emotional distress, § 12:9
Legal malpractice, § 13:11
Libel and slander actions, § 14:10
Malicious prosecution, § 15:12
Medical malpractice, § 16:9
Negligence, § 17:10
Nuisance, § 18:10
Premises liability, § 19:9
Product liability, § 20:13
Real property actions, § 21:10
Wrongful death actions, § 22:11
Wrongful discharge, § 6:10

COFFEE

Fast-food-drive-thru, product liability, § 20:31

COMPARATIVE FAULT

Fraud, § 9:8
Negligence, § 17:8

COMPENSATORY DAMAGES

Abuse of process actions, § 1:4
Animal actions, § 2:4
Business torts, § 3:9

COMPENSATORY DAMAGES

—Cont'd

Contract actions, § 4:4
Dram shop liability, § 5:4
False imprisonment, § 7:4
Fiduciary duty, § 8:4
Fraud, § 9:4
Government tort liability, § 10:4
Insurance actions, § 11:4
Intentional infliction of emotional distress, § 12:4
Legal malpractice, § 13:4
Libel and slander actions, § 14:4
Malicious prosecution, § 15:4
Medical malpractice, § 16:4
Negligence, § 17:4
Nuisance, § 18:4
Premises liability, § 19:4
Product liability, § 20:5
Real property actions, § 21:6
Wrongful death actions, § 22:4
Wrongful discharge, § 6:4

COMPLAINT FORMS

Abuse of process actions, §§ 1:10 to 1:13
Animal actions, §§ 2:12, 2:13
Class action allegations, §§ 8:19 to 8:21
Contract actions, §§ 4:29 to 4:37
Derivative action allegations, §§ 8:22, 8:23
Dram shop liability, §§ 5:11 to 5:14
False imprisonment, §§ 7:12 to 7:22
Fiduciary duty, §§ 8:11 to 8:22, 8:26
Fraud, §§ 9:10 to 9:18, 9:21
Government tort liability, §§ 10:11 to 10:14
Insurance actions, §§ 11:9 to 11:16
Intentional infliction of emotional distress, §§ 12:10 to 12:16
Malicious prosecution, §§ 15:13 to 15:15
Medical malpractice, §§ 16:10 to 16:18
Negligence, §§ 17:11 to 17:15
Nuisance, §§ 18:11 to 18:18
Premises liability, §§ 19:10 to 19:12
Product liability, §§ 20:14 to 20:20

INDEX

COMPLAINT FORMS—Cont'd
Real property actions, §§ 21:11 to 21:21, 21:21
Securities fraud, §§ 9:10, 9:15, 9:18
Third party, § 8:26
Wrongful death actions, §§ 22:14 to 22:23
Wrongful discharge, §§ 6:11 to 6:24, 6:20

CONSENT
False imprisonment, § 7:9

CONSTRUCTION
Contract actions, defense verdict, § 4:106

CONSTRUCTIVE TRUST
Fiduciary duty, § 8:7

CONTRACT ACTIONS
Generally, §§ 4:1 to 4:108
Accord and satisfaction, § 4:10
Answer containing affirmative defenses and counterclaims, form, §§ 4:39 to 4:45
Authority, § 4:2
Breach of commercial lease, § 4:73
Breach of contract, §§ 4:72, 4:75, 4:105
Broadband installation project, § 4:107
Business Torts, this index
Checklists, § 4:28
Compensatory damages remedies, § 4:4
Complaint forms, §§ 4:29 to 4:37
Construction dispute, defense verdict, § 4:106
Contractor, subcontractor dispute, § 4:104
Counterclaim, §§ 4:27, 4:71, 4:103
Defenses, generally, §§ 4:8 to 4:26
Duress, § 4:16
Equitable relief remedies, § 4:5
Failure of consideration, § 4:19
Forms
Generally, §§ 4:29 to 4:108
Answer containing affirmative defenses and counterclaims, §§ 4:39 to 4:45

CONTRACT ACTIONS—Cont'd
Forms—Cont'd
Breach of contract, sales representative, § 4:105
Broadband installation project, § 4:107
Complaint, §§ 4:29 to 4:37
Construction dispute, defense verdict, § 4:106
Contractor, subcontractor dispute, § 4:104
Jury instructions, §§ 4:46 to 4:54
Jury verdict summaries, §§ 4:64 to 4:108
Multiple awards, claims and counterclaims, offset and judgment ordered, § 4:103
Plaintiff verdict in asset purchase dispute, § 4:108
Sales representative, breach of contract, § 4:105
Sample trial court documents, generally, §§ 4:29 to 4:63
Verdict, sample verdict forms, §§ 4:55 to 4:63
Fraud, § 4:72
Frustration of purpose, § 4:26
Hindrance of performance, § 4:25
Illegality, § 4:14
Impossibility of performance, § 4:11
Impracticability of purpose, § 4:26
Insurance, § 4:74
Jury instructions forms, §§ 4:3, 4:46 to 4:54
Jury verdict. Forms, above
Jury verdict summaries, §§ 4:64 to 4:108
Lack of capacity, § 4:13
Lack of consideration, § 4:18
Limitation of actions, §§ 4:7, 4:8
Limitation of liability, § 4:24
Mistake, § 4:17
Multiple awards, claims and counterclaims, offset and judgment ordered, § 4:103
Penalty, § 4:23
Plaintiff verdict in asset purchase dispute, § 4:108
Public policy, § 4:15

CONTRACT ACTIONS—Cont'd

Punitive damages remedies, § 4:6
Ratification, § 4:21
Remedies, §§ 4:4 to 4:6
Revocation of offer, § 4:12
Sales representative, breach of contract, § 4:105
Sample trial court documents. Forms, above
Statute of frauds, § 4:9
Statute of limitations, § 4:7
Unconscionability, § 4:20
Verdict. Forms, above
Void as against public policy, § 4:15
Waiver, § 4:22

CONTRACTORS

Subcontractors, contract actions, § 4:104

COUNTERCLAIM FORMS

Abuse of process actions, §§ 1:14, 1:15
Business torts, §§ 3:14, 3:38
Contract actions, §§ 4:27, 4:71, 4:103
Fiduciary duty, § 8:25
Fraud, §§ 9:20, 9:22, 9:23
Legal malpractice, §§ 13:10, 13:18 to 13:21
Malicious prosecution, §§ 15:11, 15:17, 15:18
Medical malpractice, §§ 16:19, 16:20
Nuisance, §§ 18:19, 18:20
Wrongful discharge, § 6:21

CROSS CLAIM FORMS

Dram shop liability, § 5:19
Wrongful death actions, § 22:26

DAMAGES

Compensatory Damages, this index
Punitive Damages, this index

DEATH ACTIONS

Dram shop liability, assault by bar employee, § 5:26
Wrongful Death, this index

DEFAMATION

Libel and Slander Actions, this index

DEFENSES

Abuse of process actions, §§ 1:7, 1:8
Animal actions, §§ 2:7, 2:8
Business torts, §§ 3:12, 3:13
Contract Actions, this index
Dram shop liability, §§ 5:7 to 5:9
False imprisonment, §§ 7:7 to 7:9
Fiduciary duty, § 8:9
Fraud, §§ 9:7, 9:8
Government tort liability, §§ 10:7 to 10:9
Insurance actions, § 11:7
Intentional infliction of emotional distress, §§ 12:7, 12:8
Legal malpractice, §§ 13:7 to 13:9
Libel and slander actions, §§ 14:7 to 14:9
Malicious prosecution, §§ 15:7 to 15:10

Medical malpractice, §§ 16:7, 16:8
Negligence, §§ 17:6 to 17:9
Nuisance, §§ 18:8, 18:9
Premises liability, §§ 19:7, 19:8
Product liability, §§ 20:7 to 20:12
Wrongful death actions, §§ 22:7 to 22:9
Wrongful discharge, §§ 6:7 to 6:9

DISABILITY DISCRIMINATION

Wrongful discharge, § 6:16

DISCHARGE

Wrongful Discharge, this index

DISCRETIONARY ACT

Government tort liability, § 10:9

DISCRIMINATION

Wrongful Discharge, this index

DISGORGEMENT

Fiduciary duty, § 8:6

DRAM SHOP LIABILITY

Generally, §§ 5:1 to 5:30
Affirmative defenses forms, §§ 5:18, 5:19
Answers forms, §§ 5:16, 5:17 to 5:19
Assault, bar, § 5:29
Authority, § 5:2

INDEX

DRAM SHOP LIABILITY—Cont'd

Bar
Assault, § 5:29
Fight, § 5:27
Checklists, § 5:10
Compensatory damages, § 5:4
Complaint forms, §§ 5:11 to 5:14
Cross claim forms, § 5:19
Defenses
Assumption of the risk, § 5:9
Failure to give notice, § 5:8
Limitations, § 5:7
Failure to meet no-fault thresholds, jury verdict summaries, § 5:22
Forms
Generally, §§ 5:11 to 5:28
Affirmative defenses forms, §§ 5:17 to 5:19
Answers, §§ 5:17 to 5:19
Bar fight, §§ 5:27, 5:29
Complaint forms, §§ 5:11 to 5:14
Death after assault by bar employee, § 5:26
Deceased son receives § 50K, § 5:25
Defense verdict on illegal alcohol sale, § 5:24
Failure to meet no-fault thresholds, jury verdict summaries, § 5:22
Illegal alcohol sale to underage person, jury verdict report, § 5:23
Jury instructions, § 5:20
Jury verdict report, §§ 5:23 to 5:25
Resort shooting, § 5:30
Settlement report, §§ 5:27, 5:28
Special verdict form, § 5:21
Illegal alcohol sale to underage person, jury verdict report, § 5:23
Instructions forms, §§ 5:3, 5:20
Jury instructions forms, §§ 5:3, 5:20
Jury verdict forms, §§ 5:3, 5:23 to 5:25
Jury verdict summaries, §§ 5:26, 5:27, 5:29, 5:30
Limitation of actions, § 5:6
Punitive damages, § 5:5

DRAM SHOP LIABILITY—Cont'd

Remedies, §§ 5:4, 5:5
Resort shooting, § 5:30
Settlement report, §§ 5:27, 5:28
Shooting, resort, § 5:30
Special verdict form, § 5:21
Statute of limitations, § 5:6
Verdict forms, §§ 5:3, 5:23 to 5:25

DURESS

Contract actions, § 4:16

EASEMENT DISPUTES

Real Property Actions, this index

EMOTIONAL DISTRESS

Intentional Infliction of Emotional Distress, this index

EMPLOYER AND EMPLOYEE

Wrongful Discharge, this index

EQUITABLE RELIEF REMEDIES

Contract actions, § 4:5

FACEBOOK

Libel and slander actions, § 14:30

FAILURE OF CONSIDERATION

Contract actions, § 4:19

FALSE IMPRISONMENT

Generally, §§ 7:1 to 7:33
Authority, § 7:2
Checklists, § 7:11
Compensatory damages, § 7:4
Complaint forms, §§ 7:12 to 7:22
Consent, § 7:9
Defenses, §§ 7:7 to 7:9
Forms
Generally, §§ 7:12 to 7:34
Answer, § 7:22
Class action, § 7:21
Complaint, §§ 7:12 to 7:22
Injunctive and declaratory relief, § 7:21
Jury instructions, §§ 7:23, 7:24
Jury verdict summaries, §§ 7:29 to 7:33
Multiple counts of complaint, §§ 7:17 to 7:19

FALSE IMPRISONMENT—Cont'd

Forms—Cont'd
Settlement summaries, §§ 7:26, 7:34
Verdict form, § 7:25
Immunity of merchants, § 7:10
Jury instructions forms, §§ 7:3, 7:23, 7:24
Jury verdict forms, §§ 7:3, 7:25
Jury verdict summaries, §§ 7:29 to 7:33
Limitation of actions, §§ 7:6, 7:7
Merchants, statutory immunity of, § 7:10
Multiple counts of complaint, forms, §§ 7:17 to 7:19
Punitive damages, § 7:5
Reliance on apparently valid order, § 7:8
Remedies, §§ 7:4, 7:5
Settlement summaries, §§ 7:26, 7:34
Statute of limitations, § 7:6
Statutory immunity of merchants, § 7:10
Verdict forms, §§ 7:3, 7:25

FEDERAL CRIMINAL FRAUD

Jury instructions forms, §§ 9:28, 9:29, 9:31

FIDUCIARY DUTY

§ 133,231 verdict for misappropriation of company funds, § 8:56
Generally, §§ 8:1 to 8:55
Affirmative defense forms, § 8:24
Answer forms, §§ 8:24, 8:25
Attorney general, suit by, § 8:11
Authority, § 8:2
Bench trial summaries, § 8:52
Checklists, § 8:10
Compensatory damages, § 8:4
Complaint forms, §§ 8:11 to 8:22, 8:26
Constructive trust, § 8:7
Counterclaim forms, § 8:25
Defenses, limitations, § 8:9
Disgorgement, § 8:6
Forms
Generally, §§ 8:11 to 8:55

FIDUCIARY DUTY—Cont'd

Forms—Cont'd
Affirmative defense, § 8:24
Answer, §§ 8:24, 8:25
Attorney general, suit by, § 8:11
Bench trial summaries, § 8:52
Class action allegation, complaint including, §§ 8:19 to 8:21
Complaint, §§ 8:11 to 8:22, 8:26
Counterclaim, § 8:25
Derivative action allegations, §§ 8:22, 8:23
Jury instructions, §§ 8:27 to 8:33
Jury verdict summaries, §§ 8:37 to 8:51, 8:55
Multiple counts of complaint, §§ 8:12, 8:13
Sample verdict forms, §§ 8:35, 8:36
Settlement summaries, §§ 8:53, 8:54
Third party complaint, § 8:26
Jury instructions forms, §§ 8:3, 8:27 to 8:33
Jury verdict forms, § 8:3
Jury verdict summaries, §§ 8:37 to 8:51, 8:55
Limitation of actions, § 8:8
Multiple counts of complaint forms, §§ 8:12, 8:13
Physician, terminated, § 8:55
Punitive damages, § 8:5
Remedies, §§ 8:4 to 8:7
Sample verdict forms, §§ 8:35, 8:36
Settlement summaries, §§ 8:53, 8:54
Statute of limitations, § 8:8
Third party complaint, § 8:26

FOOD AND DRINK

Coffee, fast-food-drive-thru, product liability, § 20:31

FRAUD

Generally, §§ 9:1 to 9:62
Affirmative defenses forms, §§ 9:20, 9:22, 9:23
Answer forms, §§ 9:20, 9:22, 9:23
Authority, § 9:2
Business torts, § 3:6

INDEX

FRAUD—Cont'd

Checklists, **§ 9:9**
Comparative fault, defenses, **§ 9:8**
Compensatory damages, **§ 9:4**
Complaint forms, **§§ 9:10 to 9:18, 9:21**
Consumer fraud, complaint forms, **§§ 9:16, 9:17**
Contract actions, **§ 4:72**
Counterclaims, **§§ 9:20, 9:22, 9:23**
Defenses, **§§ 9:7, 9:8**
Federal criminal fraud, jury instructions forms, **§§ 9:28, 9:29, 9:31**
Forms
 Generally, **§§ 9:10 to 9:62**
 Affirmative defenses, **§§ 9:20, 9:22**
 Answer, **§§ 9:20, 9:22, 9:23**
 Complaint, **§§ 9:10 to 9:18, 9:21**
 Counterclaim, **§§ 9:20, 9:22, 9:23**
 Federal criminal fraud, jury instructions, **§§ 9:28, 9:29, 9:31**
Homeowner, recovery by, **§ 9:47**
Insurance fraud case, jury instructions, **§ 9:30**
Jury instructions, **§§ 9:24 to 9:31**
Jury verdict summaries, **§§ 9:38 to 9:57, 9:62**
Sample verdict form, **§§ 9:32 to 9:37**
Startup business, misled investor, **§ 9:62**
Trial court documents, **§§ 9:58 to 9:61**
 Verdict form, **§§ 9:58 to 9:61**
Homeowner, recovery by, **§ 9:47**
Insurance fraud case, jury instructions forms, **§ 9:30**
Investor, misled, startup business, **§ 9:62**
Jury instructions forms, **§§ 9:3, 9:24 to 9:31**
Jury verdict forms, **§§ 9:3, 9:32 to 9:37**
Jury verdict summaries, **§§ 9:38 to 9:57, 9:62**
Limitation of actions, **§ 9:6**
Limitations, **§ 9:7**

FRAUD—Cont'd

Punitive damages, **§ 9:5**
Remedies, **§§ 9:4, 9:5**
Securities fraud, complaint forms, **§§ 9:10, 9:15, 9:18**
Startup business, misled investor, **§ 9:62**
Statute of limitations, **§ 9:6**
Trial court documents, **§§ 9:58 to 9:61**
Verdict form, **§§ 9:58 to 9:61**
FRUSTRATION OF PURPOSE
Contract actions, **§ 4:26**
GENDER DISCRIMINATION
Wrongful discharge, **§ 6:55**
GOVERNMENT TORT LIABILITY
Generally, **§§ 10:1 to 10:24**
Affirmative defenses forms, **§§ 10:15 to 10:17**
 Answer forms, **§§ 10:15 to 10:17**
 Authority, **§ 10:2**
 Bench trial result summaries, **§ 10:24**
 Checklist, **§ 10:10**
 Compensatory damages, **§ 10:4**
 Complaint forms, **§§ 10:11 to 10:14, 10:12**
 Defenses, **§§ 10:7 to 10:9**
 Discretionary act, **§ 10:9**
 Forms
 Affirmative defenses, **§§ 10:15 to 10:17**
 Answer, **§§ 10:15 to 10:17**
 Bench trial result summaries, **§ 10:24**
 Complaint, **§§ 10:11 to 10:14, 10:12**
 Jury instructions, **§ 10:18**
 Jury verdict summaries, **§§ 10:20 to 10:23**
 Special verdict form, **§ 10:19**
 Jury instructions forms, **§§ 10:3, 10:18**
 Jury verdict summaries, **§§ 10:20 to 10:23**
 Limitation of actions, **§§ 10:6, 10:7**
 Notice, failure to give, **§ 10:8**
 Punitive damages, **§ 10:5**

GOVERNMENT TORT LIABILITY

—Cont'd

- Remedies, §§ 10:4, 10:5
- Special verdict form, § 10:19
- Statute of limitations, §§ 10:6, 10:7
- Verdict forms, § 10:3

HINDRANCE OF PERFORMANCE

- Contract actions, § 4:25

HOSPITALS

- Anesthesiologists, wrongful discharge, § 6:62
- Physician, terminated, fiduciary duty, § 8:55

ILLEGALITY

- Contract actions, § 4:14
- Dram shop liability, § 5:23

IMMIGRATION

- Matter, mishandling of, legal malpractice, § 13:32

IMMUNITY OF MERCHANTS

- False imprisonment, § 7:10

IMPOSSIBILITY OF PERFORMANCE

- Contract actions, § 4:11

IMPRACTICABILITY OF PURPOSE

- Contract actions, § 4:26

IMPRISONMENT

- False Imprisonment, this index

IN PARI DELICTO

- Malicious prosecution, § 15:10

INJUNCTIVE RELIEF

- False imprisonment, § 7:21
- Nuisance, § 18:6

INSTRUCTIONS TO JURY

- Jury Instructions Forms, this index

INSURANCE ACTIONS

- Generally, §§ 11:1 to 11:38
- Affirmative defenses forms, § 11:19
- Answer forms, §§ 11:17 to 11:19
- Authority, § 11:2
- Checklists, § 11:8

INSURANCE ACTIONS—Cont'd

- Compensatory damages, § 11:4
- Complaint forms, §§ 11:9 to 11:16
- Defenses, § 11:7
- Forms
 - Affirmative defenses, § 11:19
 - Answer, §§ 11:17 to 11:19
 - Complaint, §§ 11:9 to 11:16
 - Jury instructions, §§ 11:20, 11:27
 - Jury verdict summaries, §§ 11:25 to 11:38
 - Special verdict forms, §§ 11:21 to 11:24
- Fraud, § 9:30
- Jury instructions forms, §§ 11:3, 11:20, 11:27
- Jury verdict forms, § 11:3
- Jury verdict summaries, §§ 11:25 to 11:38
 - Underinsured motorist coverage
 - § 364,159, § 11:38
 - § 250K, § 11:37
 - Limitation of actions, §§ 11:6, 11:7
 - Punitive damages, § 11:5
 - Remedies, §§ 11:4, 11:5
 - Sample jury instructions, §§ 11:18, 11:19, 11:23, 11:24
 - Special verdict forms, §§ 11:21 to 11:24
 - Statute of limitations, §§ 11:6, 11:7
 - Theft coverage for stolen vehicle, § 11:35
 - Two fires seven days apart damage home; jury awards homeowner § 287.4k, § 11:28
 - Underinsured motorist verdict
 - Jury verdict summary
 - § 364,159, § 11:38
 - § 250K, § 11:37
 - § 51k, § 11:34
 - § 64k, § 11:30
 - § 79.5k, § 11:32
 - § 238k, § 11:29
 - § 250k, § 11:33
 - § 353.5k, § 11:31
 - Verdict for failure to procure proper insurance, § 11:36

INDEX

INTENTIONAL INFILCTION OF EMOTIONAL DISTRESS

Generally, §§ 12:1 to 12:30
Authority, § 12:2
Checklists, § 12:9
Defenses
 Lack of proof on the merits, § 12:8
 Limitations, § 12:7
Elements of action, § 12:1
Forms
 Sample complaint, §§ 12:10 to 12:14
 Trial court document, sample complaint, §§ 12:10, 12:11
Jury instructions, §§ 12:17 to 12:19
Jury instructions/verdict forms, § 12:3
Jury verdict summaries
 § 182,000 for sexual assault case, § 12:24
 § 22,500 jury verdict for plaintiffs in defamation and intentional infliction of emotional distress case, § 12:30
Action for claimed battery, § 12:26
Action for claimed release of psychologist's report, § 12:27
On arrestee's claim, § 12:28
Case against hospital for alleged refusal to allow plaintiff to opt out of scheduled medical procedure, § 12:25
Defense verdict for hotel, key to guest's ex-partner, § 12:23
Plaintiff in defamation and intentional infliction of emotional distress case, § 12:29
Limitation of actions
 Statute of limitations, § 12:6
Remedies
 Compensatory damages, § 12:4
 Punitive damages, § 12:5
Sample answer, §§ 12:15, 12:16
Sample verdict form, §§ 12:20 to 12:22

INTERFERENCE WITH CONTRACT

Business Torts, this index

INTOXICATING LIQUORS

Dram Shop Liability, this index

INVESTORS

Misled, startup business, fraud, § 9:62

JURY INSTRUCTIONS FORMS

Abuse of process actions, §§ 1:3, 1:16, 1:17
Animal actions, §§ 2:3, 2:15, 2:19
Business torts, §§ 3:8, 3:39 to 3:48
Contract actions, § 4:3
Court, § 8:34
Dram shop liability, §§ 5:3, 5:20
False imprisonment, §§ 7:3, 7:23, 7:24
Fiduciary duty, §§ 8:3, 8:27 to 8:33
Fraud, §§ 9:3, 9:24 to 9:31
Government tort liability, §§ 10:3, 10:18
Insurance actions, §§ 11:3, 11:20, 11:27
Insurance actions, §§ 11:18, 11:19, 11:23, 11:24
Legal malpractice, §§ 13:3, 13:22, 13:33
Libel and slander actions, § 14:3
List, § 2:16
Malicious prosecution, §§ 15:3, 15:19
Medical malpractice, §§ 16:3, 16:23, 16:24, 16:25
Negligence, §§ 17:3, 17:19 to 17:21
Nuisance, § 18:3
Nuisance, violation of easement, § 18:21
Plaintiff's requested instruction, product liability, § 20:25
Premises liability, §§ 19:3, 19:15 to 19:17
Product liability, §§ 20:3, 20:26
Real property actions, §§ 21:5, 21:27, 21:28
Wrongful death actions, §§ 22:3, 22:28
Wrongful discharge, §§ 6:3, 6:29

JURY VERDICT

Premises liability, § 19:19

JURY VERDICT FORMS

Abuse of process actions, **§ 1:3**
Animal Actions, this index
Contract Actions, this index
Dram shop liability, **§§ 5:3, 5:21 to 5:27**
False imprisonment, **§§ 7:3, 7:25**
Fiduciary duty, **§§ 8:3, 8:35, 8:36**
Fraud, **§§ 9:3, 9:32 to 9:37, 9:58 to 9:61**
Insurance actions, **§ 11:3**
Jury Verdict Forms, this index
Jury Verdict Summaries, this index
Legal malpractice, **§ 13:3**
Libel and slander actions, **§ 14:3**
Malicious prosecution, **§ 15:3**
Medical malpractice, **§§ 16:3, 16:26 to 16:31**
Negligence, **§§ 17:3, 17:30 to 17:51**
Nuisance, **§§ 18:3, 18:22, 18:23**
Premises liability, **§§ 19:3, 19:20**
Product liability, **§ 20:3**
Real property actions, **§§ 21:5, 21:29, 21:30**
Wrongful death actions, **§§ 22:3, 22:31, 22:32**
Wrongful discharge, **§ 6:3**

JURY VERDICT REPORT

Animal actions, **§§ 2:45 to 2:47**

JURY VERDICT REPORTS

Business torts, **§§ 3:59 to 3:63**

JURY VERDICT SUMMARIES

§ 32,670 verdict for corn farmer for cattle running-at-large, **§ 18:29**
§ 10,000 verdict for trespass, tree removal, **§ 18:32**
Animal actions, **§§ 2:29, 2:30, 2:45, 2:48, 2:49, 2:54 to 2:60**
Business torts, **§§ 3:52 to 3:55, 3:64 to 3:74, 3:76, 3:78**
Contract actions, **§§ 4:64 to 4:108**
Dram shop liability, **§§ 5:26, 5:27, 5:29, 5:30**
Failure to meet no-fault thresholds, dram shop liability, **§ 5:22**
False imprisonment, **§§ 7:29 to 7:33**
Fiduciary duty, **§§ 8:37 to 8:51, 8:55**

JURY VERDICT SUMMARIES

—Cont'd

Fraud, **§§ 9:38 to 9:57, 9:62**
Government tort liability, **§§ 10:20 to 10:23**
Insurance actions, **§§ 11:25 to 11:36, 11:25 to 11:38**
Underinsured motorist coverage § 364,159, **§ 11:38**
§ 250K, **§ 11:37**
§ 77.5K verdict in shopping center easement dispute, **§ 18:30**
Lawsuit between brother, brother-in-law, no award, **§ 1:20**
Legal malpractice, **§§ 13:26 to 13:32**
Loan default, creditor wins judgment, **§ 1:20**
Malicious prosecution, **§ 15:21**
Medical clinic's founders recovery § 437.5K in wages, **§ 7:27**
Medical malpractice, **§§ 16:26 to 16:31, 16:38 to 16:57**
Negligence, **§§ 17:30 to 17:51**
Nuisance, **§§ 18:24 to 18:33**
Odors from hog-feeding operation, not nuisance, **§ 18:33**
Patron assaulted, bar recover § 89.4K, **§ 7:28**
Premises liability, **§§ 19:21 to 19:29**
Product liability, **§§ 20:28 to 20:31, 20:30, 20:31**
Real property actions, **§ 21:36 et seq.**
Special verdict, wrongful discharge, **§ 6:34**
Wrongful death actions, **§§ 22:42 to 22:43**
Wrongful discharge, **§§ 6:35 to 6:52, 6:56 to 6:63**

JURY VERDICT SUMMARY

Negligence, **§§ 17:27 to 17:28**

JURY VERDICT/SETTLEMENT SUMMARIES

§ 75,000 awarded, motor vehicle collision, **§ 22:38**
§ 27M death caused by police, **§ 22:39**

INDEX

LACK OF CAPACITY

Contract actions, **§ 4:13**

LACK OF CONSIDERATION

Contract actions, **§ 4:18**

LEGAL MALPRACTICE

Generally, **§§ 13:1 to 13:52**

Affirmative defenses forms,
§§ 13:18, 13:19

Amended special verdict, **§ 13:24**

Answer forms, **§§ 13:18 to 13:21**

Authority, **§ 13:2**

Checklists, **§ 13:11**

Compensatory damages, **§ 13:4**

Counterclaims, **§§ 13:10, 13:18 to 13:21**

Defenses, **§§ 13:7 to 13:9**

Failure to produce expert affidavits,
§ 13:9

Forms

Affirmative defenses, **§§ 13:18, 13:19**

Amended special verdict, **§ 13:24**

Answer, **§§ 13:18 to 13:21**

Counterclaims, **§§ 13:18 to 13:21**

Immigration matter, mishandling
of, **§ 13:32**

Jury instructions, **§§ 13:22, 13:33**

Jury verdict summaries, **§§ 13:26 to 13:32**

Reply to answer asserting legal
malpractice, **§ 13:21**

Sample jury instructions, **§ 13:23**

Sample trial court documents,
§§ 13:24, 13:25

Special verdict, **§§ 13:24, 13:25**

Trial court document, sample com-
plaint, **§ 13:12 to 13:25**

Immigration matter, mishandling of,
§ 13:32

Jury instructions forms, **§§ 13:3, 13:22, 13:33**

Jury verdict forms, **§ 13:3**

Jury verdict summaries, **§§ 13:26 to 13:32**

§ 48,700 verdict in claim for legal
malpractice, **§ 13:32**

Legal malpractice mortgage/
foreclosure suit, **§ 13:31**

LEGAL MALPRACTICE—Cont'd

Limitation of actions, **§§ 13:6, 13:7**

Negating necessary elements, **§ 13:8**

Punitive damages, **§ 13:5**

Remedies, **§§ 13:4, 13:5**

Reply to answer asserting legal mal-
practice, **§ 13:21**

Special verdict, **§§ 13:24, 13:25**

Statute of limitations, **§§ 13:6, 13:7**

Trial court documents, sample,
§§ 13:24, 13:25

LIBEL AND SLANDER ACTIONS

Generally, **§§ 14:1 to 14:54**

Authority, **§ 14:2**

Business Torts, this index

Checklists, **§ 14:10**

Compensatory damages, **§ 14:4**

Defenses, **§§ 14:7 to 14:9**

Facebook posting, **§ 14:30**

Forms

Facebook posting, **§ 14:30**

News reporting, **§ 14:31**

Jury instructions forms, **§ 14:3**

Jury verdict forms, **§ 14:3**

Limitation of actions, **§§ 14:6, 14:7**

News reporting, **§ 14:31**

Privilege, defense of, **§ 14:9**

Punitive damages, **§ 14:5**

Remedies, **§§ 14:4, 14:5**

Statute of limitations, **§§ 14:6, 14:7**

Truth, defense of, **§ 14:8**

LIMITATION OF ACTIONS

Abuse of process actions, **§§ 1:6, 1:7**

Animal actions, **§§ 2:6, 2:7**

Business torts, **§§ 3:11, 3:12**

Contract actions, **§ 4:7**

Dram shop liability, **§ 5:6**

False imprisonment, **§§ 7:6, 7:7**

Fiduciary duty, **§ 8:8**

Fraud, **§ 9:6**

Government tort liability, **§§ 10:6, 10:7**

Insurance actions, **§§ 11:6, 11:7**

Legal malpractice, **§§ 13:6, 13:7**

Libel and slander actions, **§§ 14:6, 14:7**

Malicious prosecution, **§§ 15:6, 15:7**

LIMITATION OF ACTIONS

—Cont'd

Medical malpractice, §§ 16:6, 16:7
Negligence, §§ 17:6, 17:7
Nuisance, §§ 18:7, 18:8
Premises liability, §§ 19:6, 19:7
Product liability, §§ 20:6, 20:7
Real property actions, §§ 21:8, 21:9
Wrongful death actions, §§ 22:6,
22:7
Wrongful discharge, §§ 6:6, 6:7

LIMITATION OF LIABILITY

Contract actions, § 4:24

LIMITATIONS AND RESTRICTIONS

Contract actions, § 4:8
Dram shop liability, defenses, § 5:7
Fraud, § 9:7

MALICIOUS PROSECUTION

Generally, §§ 15:1 to 15:22
Advice of counsel, defenses, § 15:9
Affirmative defenses forms,
§§ 15:17, 15:18
Answer forms, §§ 15:17, 15:18
Authority, § 15:2
Checklists, § 15:12
Compensatory damages, § 15:4
Complaint forms, §§ 15:13 to 15:15
Counterclaim, §§ 15:11, 15:17, 15:18
Defenses, §§ 15:7 to 15:10
Forms
Affirmative defenses, §§ 15:17,
15:18
Answer, §§ 15:17, 15:18
Complaint, §§ 15:13 to 15:15
Counterclaim, §§ 15:17, 15:18
Homeownership dispute, award,
§ 15:22
Jury instructions forms, § 15:19
Jury verdict summaries, § 15:21
Police shooting case, § 15:21
Special verdict form, § 15:20
Jury instructions forms, §§ 15:3,
15:19
Jury verdict forms, § 15:3
Jury verdict summaries, § 15:21
Limitation of actions, §§ 15:6, 15:7

MALICIOUS PROSECUTION

—Cont'd

In pari delicto, defenses, § 15:10
Police shooting case, § 15:21
Probable cause, defenses, § 15:8
Punitive damages, § 15:5
Remedies, §§ 15:4, 15:5
Special verdict form, § 15:20
Statute of limitations, § 15:6

MALPRACTICE

Legal Malpractice, this index
Medical Malpractice, this index

MEDICAL MALPRACTICE

Generally, §§ 16:1 to 16:52
Affirmative defenses forms,
§§ 16:19, 16:20
Answer forms, §§ 16:19, 16:20
Authority, § 16:2
Checklists, § 16:9
Compensatory damages, § 16:4
Complaint forms, §§ 16:10 to 16:18
Counterclaim forms, §§ 16:19, 16:20
Defenses, §§ 16:7, 16:8
Expert affidavit, attorney's, § 16:21
Expert declaration, attorney's,
§ 16:22
Failure to serve required affidavits,
§ 16:8
Forms
Affirmative defenses, §§ 16:19,
16:20
Answer, §§ 16:19, 16:20
Complaint, §§ 16:10 to 16:18
Counterclaim, §§ 16:19, 16:20
Jury instructions forms, §§ 16:23,
16:24
Jury verdict forms, §§ 16:38 to
16:57
Jury verdict summaries, §§ 16:26
to 16:31, 16:38 to 16:57
Post-operative infection, §§ 16:56,
16:57
Jury instructions forms, §§ 16:3,
16:23, 16:24
Jury verdict forms, §§ 16:3, 16:32 to
16:36
§ 1,138,066 for unplanned
pregnancy after vasectomy,
§ 16:33

INDEX

MEDICAL MALPRACTICE
—Cont’d
Jury verdict forms, §§ 16:3, 16:32 to 16:36—Cont’d
§ 5,477,956 for wrongful death following nursing home fall, § 16:32
Defense verdict, failure to diagnose endometrial cancer, § 16:35
Defense verdict, failure to diagnose leg compartment syndrome, § 16:36
Defense verdict for birth injury, evidence of alternative cause, § 16:34
Jury verdict summaries, §§ 16:38 to 16:57
Laparoscopic hernia, § 16:37
Limitation of actions, §§ 16:6, 16:7
Post-operative infection, §§ 16:56, 16:57
Punitive damages, § 16:5
Remedies, §§ 16:4, 16:5
Sample verdict form, §§ 16:26 to 16:31
Statute of limitations, §§ 16:6, 16:7

MERCHANTS, STATUTORY IMMUNITY OF
False imprisonment, § 7:10

MISTAKE
Contract actions, § 4:17

MISUSE
Product liability, § 20:8

MITIGATION OF DAMAGES
Wrongful discharge, § 6:8

MULTIPLE COUNTS COMPLAINT
False imprisonment, §§ 7:17 to 7:19
Fiduciary duty, §§ 8:12, 8:13

NEGLIGENCE
Generally, §§ 17:1 to 17:48
Affirmative defenses forms, §§ 17:16 to 17:18
Answer forms, §§ 17:16 to 17:18
Authority, § 17:2
Checklists, § 17:10

NEGLIGENCE—Cont’d
Comparative fault, § 17:8
Compensatory damages, § 17:4
Complaint forms, §§ 17:11 to 17:15
Defenses, §§ 17:6 to 17:9
Forms
Affirmative defenses, §§ 17:16 to 17:18
Answer, §§ 17:16 to 17:18
Complaint, §§ 17:11 to 17:15
Jury instructions forms, §§ 17:19 to 17:21
Jury verdict summaries, §§ 17:30 to 17:51
Settlement summaries, § 17:33
Special verdict forms, §§ 17:30 to 17:51
Jury instructions forms, §§ 17:3, 17:19 to 17:21
Jury verdict forms, § 17:3
Jury verdict summaries, §§ 17:30 to 17:51
Jury verdict summary, §§ 17:27 to 17:28
§ 376,275, reduced to § 239,236 after collateral source deductions, § 17:28
§ 255,000 awarded to plaintiff in rear-end collision, § 17:27
Limitation of actions, §§ 17:6, 17:7
Primary assumption of risk, § 17:9
Punitive damages, § 17:5
Remedies, §§ 17:4, 17:5
Settlement summaries, § 17:33
Special verdict, §§ 17:22 to 17:26
Special verdict forms, §§ 17:30 to 17:51
Statute of limitations, §§ 17:6, 17:7

NEWS REPORTING
Libel and slander actions, § 14:31

NO-FAULT THRESHOLD
Failure to meet, dram shop liability, § 5:22

NOTICE OR KNOWLEDGE
Failure to give, dram shop liability, defenses, § 5:8
Government tort liability, § 10:8

NOTICE OR KNOWLEDGE

—**Cont'd**

Product liability, § 20:10

NUISANCE

Generally, §§ 18:1 to 18:40

Affirmative defenses forms,
§§ 18:19, 18:20

Answer forms, §§ 18:19, 18:20

Authority, § 18:2

Checklists, § 18:10

Compensatory damages, § 18:4

Complaint forms, §§ 18:11 to 18:18

Counterclaim forms, §§ 18:19, 18:20

Defenses, §§ 18:8, 18:9

Forms

Affirmative defenses, §§ 18:19,
18:20

Answer, §§ 18:19, 18:20

Complaints, §§ 18:11 to 18:18

Counterclaim, §§ 18:19, 18:20

Jury verdict forms, §§ 18:22,
18:23

Jury verdict summaries, §§ 18:24
to 18:33

Multi-count complaint, §§ 18:17,
18:17, 18:18

Injunctive relief, § 18:6

Jury instructions forms, § 18:3

Jury verdict forms, §§ 18:3, 18:22 to
18:23

Jury verdict summaries, §§ 18:24 to
18:33

Limitation of actions, §§ 18:7, 18:8

Multi-count complaint forms,
§§ 18:17, 18:18

Punitive damages, § 18:5

Remedies, §§ 18:4 to 18:6

Statute of limitations, §§ 18:7, 18:8

PARTITION ACTIONS

Real property actions, § 21:4

PENALTY

Contract actions, § 4:23

PETTING ZOO

Animal actions, infection at, com-
plaint form, § 2:11

PHYSICIANS

Terminated, fiduciary duty, § 8:55

POLICE SHOOTING CASE

Malicious prosecution, § 15:21

PREEMPTION

Product liability, § 20:11

PREGNANCY

Employment and wrongful discharge,
§ 6:2

PREMISES LIABILITY

Generally, §§ 19:1 to 19:29

Answer forms, §§ 19:13, 19:14

Authority, § 19:2

Checklists, § 19:9

Compensatory damages, § 19:4

Complaint forms, §§ 19:10 to 19:12

Counterclaim forms, § 19:14

Defenses, §§ 19:7, 19:8

Forms

Answer, §§ 19:13, 19:14

Complaint, §§ 19:10 to 19:12

Counterclaim, § 19:14

Jury instructions, §§ 19:15 to
19:17

Jury verdict forms, §§ 19:18 to
19:20

Jury verdict summaries, §§ 19:21
to 19:29

Slip and fall, §§ 19:26 to 19:29

Jury instructions forms, §§ 19:3,
19:15 to 19:17

Jury verdict forms, § 19:3

Jury verdict summaries, §§ 19:21 to
19:29

Limitations of actions, §§ 19:6, 19:7

Primary assumption of risk, § 19:8

Punitive damages, § 19:5

Remedies, §§ 19:4, 19:5

Sample complaint, § 19:10

Statute of limitations, §§ 19:6, 19:7

PRIMARY ASSUMPTION OF RISK

Negligence, § 17:9

Premises liability, § 19:8

PRIVILEGE

Business torts, § 3:13

INDEX

PRIVILEGE—Cont'd
Libel and slander actions, § 14:9

PROBABLE CAUSE, DEFENSES
Malicious prosecution, § 15:8

PRODUCT LIABILITY
Generally, §§ 20:1 to 20:31
Affirmative defenses forms, § 20:21
Answer forms, § 20:21
Authority, § 20:2
Checklists, § 20:13
Coffee, fast-food-drive-thru, § 20:31
Compensatory damages, § 20:5
Complaint forms, §§ 20:14 to 20:20
Defective fire extinguisher, § 20:14
Defenses, §§ 20:7 to 20:12
Engine, manufacturer of, crashed airplane, § 20:30
Forms
 Affirmative defenses, §§ 20:21, 20:22
 Affirmative defenses, counterclaims, § 20:22
 Answer, § 20:21
 Complaint, §§ 20:14 to 20:20
 Jury instructions, §§ 20:25, 20:26
 Jury verdict summaries, §§ 20:28 to 20:31, 20:30, 20:31
 Settlement summaries, § 20:27
 Third party complaint, §§ 20:23, 20:24
Jury instructions forms, §§ 20:25, 20:26
Jury verdict forms, § 20:3
Jury verdict summaries, §§ 20:28 to 20:31, 20:30, 20:31
Limitation of actions, §§ 20:6, 20:7
Misuse, § 20:8
Non manufacturing sellers, § 20:12
Notice, failure to give, § 20:10
Preemption, § 20:11
Punitive damages, § 20:5
Remedies, §§ 20:4, 20:5
Settlement summaries, § 20:27
Statute of limitations, §§ 20:6, 20:7
Third party complaint, §§ 20:23, 20:24
Useful life, § 20:9

PROVOCATION DEFENSE
Animal actions, § 2:8

PUBLIC POLICY
Contract actions, § 4:15

PUNITIVE DAMAGES
Abuse of process actions, § 1:5
Animal actions, § 2:5
Business torts, § 3:10
Contract actions, § 4:6
Dram shop liability, § 5:5
False imprisonment, § 7:5
Fiduciary duty, § 8:5
Fraud, § 9:5
Government tort liability, § 10:5
Insurance actions, § 11:5
Legal malpractice, § 13:5
Libel and slander actions, § 14:5
Malicious prosecution, § 15:5
Medical malpractice, § 16:5
Negligence, § 17:5
Nuisance, § 18:5
Premises liability, § 19:5
Product liability, § 20:5
Real property actions, § 21:7
Wrongful death actions, § 22:5
Wrongful discharge, § 6:5

RATIFICATION
Contract actions, § 4:21

REAL PROPERTY ACTIONS
Generally, §§ 21:1 to 21:46
Adverse possession actions, § 21:2
Affirmative defense forms, §§ 21:20, 21:24
Answer forms, §§ 21:23 to 21:26
Bench trial result, §§ 21:31, 21:32, 21:38
Boundary disputes, § 21:3
Checklists, § 21:10
Compensatory damages, § 21:6
Complaint forms, §§ 21:11 to 21:21, 21:21
Elements of action, §§ 21:1 to 21:4
Forms
 Affirmative defense, §§ 21:20, 21:24
 Answer, §§ 21:23 to 21:26

REAL PROPERTY ACTIONS

—Cont’d

Forms—Cont’d

Bench trial result, §§ 21:31, 21:32, 21:38

Complaint, §§ 21:11 to 21:21, 21:21

Jury instructions, §§ 21:27, 21:28

Jury verdict forms, §§ 21:29, 21:30

Jury verdict summaries, § 21:36 et seq.

Jury instructions forms, §§ 21:5, 21:27, 21:28

Jury verdict forms, §§ 21:5, 21:29, 21:30

Jury verdict summaries, § 21:36 et seq.

Jury verdict summary, §§ 21:39 to 21:46

Limitation of actions, §§ 21:8, 21:9

Partition actions, elements of, § 21:4

Punitive damages, § 21:7

Remedies, §§ 21:6, 21:7

Statute of limitations, §§ 21:8, 21:9

Summons in action involving title, § 21:22

RELIANCE ON APPARENTLY VALID ORDER

False imprisonment, § 7:8

RELIGIOUS ASSOCIATION

Wrongful discharge, § 6:9

REMEDIES

Dram shop liability, §§ 5:4, 5:5

False imprisonment, §§ 7:4, 7:5

Fiduciary duty, §§ 8:4 to 8:7

Fraud, §§ 9:4, 9:5

Government tort liability, §§ 10:4, 10:5

Insurance actions, §§ 11:4, 11:5

Legal malpractice, §§ 13:4, 13:5

Libel and slander actions, §§ 14:4, 14:5

Malicious prosecution, §§ 15:4, 15:5

Medical malpractice, §§ 16:4, 16:5

Negligence, §§ 17:4, 17:5

Nuisance, §§ 18:4 to 18:6

REMEDIES—Cont’d

Premises liability, §§ 19:4, 19:5

Product liability, §§ 20:4, 20:5

Real property actions, §§ 21:6, 21:7

Wrongful death actions, §§ 22:4, 22:5

Wrongful discharge, §§ 6:4, 6:5

REPLY

Legal malpractice asserted in answer, § 13:21

REVOCATION OF OFFER

Contract actions, § 4:12

SALES REPRESENTATIVE

Breach of contract, contract actions, § 4:105

SAMPLE JURY INSTRUCTIONS

Legal malpractice, § 13:23

SECURITIES FRAUD

Complaint forms, §§ 9:10, 9:15, 9:18

SETTLEMENT

Negligence

§ 565,000 for wrongful death of minor, suffered carbon monoxide poisoning, § 17:29

SETTLEMENT REPORT

Dram shop liability, §§ 5:27, 5:28

SETTLEMENT SUMMARIES

Animal actions, §§ 2:42, 2:50, 2:53

False imprisonment, §§ 7:26, 7:34

Fiduciary duty, §§ 8:53, 8:54

Negligence, § 17:33

Product liability, § 20:27

SLANDER

Libel and Slander Actions, this index

SLIP AND FALL CASES

Premises liability, §§ 19:26 to 19:29

SPECIAL VERDICT

Negligence, §§ 17:22 to 17:26

SPECIAL VERDICT FORMS

Abuse of process actions, § 1:18

Business torts, §§ 3:49 to 3:51

Contract actions, §§ 4:55 to 4:63

INDEX

SPECIAL VERDICT FORMS

—Cont'd

- Dram shop liability, § 5:21
- Government tort liability, § 10:19
- Insurance actions, §§ 11:21 to 11:24
- Legal malpractice, §§ 13:24, 13:25
- Malicious prosecution, § 15:20

STARTUP BUSINESSES

- Misled, investor, fraud, § 9:62

STATUTE OF FRAUDS

- Contract actions, § 4:9

STATUTE OF LIMITATIONS

- Limitation of Actions, this index

STATUTORY IMMUNITY OF MERCHANTS

- False imprisonment, § 7:10

SUBCONTRACTORS

- Contractors, contract actions, § 4:104

TIP-POOLING

- Wrongful discharge, § 6:63

TRADE SECRETS

- Business torts, §§ 3:4, 3:24, 3:25, 3:46, 3:49

- Sample complaint, § 3:23

TRIAL COURT DOCUMENTS

- Fraud, §§ 9:58 to 9:60
- Legal malpractice, §§ 13:24, 13:25

TRUSTS AND TRUSTEES

- Petition for appointment of trustee, § 22:12
- Wrongful death actions, § 22:10

TRUTH, DEFENSE OF

- Libel and slander actions, § 14:8

UNCONSCIONABILITY

- Contract actions, § 4:20

UNDERINSURED MOTORIST VERDICT

- Insurance actions
- Jury verdict summary
- § 364,159, § 11:38
- § 250K, § 11:37
- § 51k, § 11:34

UNDERINSURED MOTORIST

VERDICT—Cont'd

- Insurance actions—Cont'd
- § 64k, § 11:30
- § 79.5k, § 11:32
- § 238k, § 11:29
- § 250k, § 11:33
- § 353.5k, § 11:31

USEFUL LIFE

- Product liability, § 20:9

VERDICT

- Jury Verdict Forms, this index
- Jury Verdict Summaries, this index

VIOLATION OF EASEMENT

- Forms
- Jury instructions forms, § 18:21
- Jury instructions forms, § 18:21

WAIVER

- Contract actions, § 4:22

WRONGFUL DEATH ACTIONS

- Generally, §§ 22:1 to 22:43
- Answer forms, §§ 22:24 to 22:26
- Authority, § 22:2
- Checklist, § 22:11
- Compensatory damages, § 22:4
- Complaint forms, §§ 22:14 to 22:23
- Cross claim forms, § 22:26
- Defenses, §§ 22:7 to 22:9
- Final jury instructions, § 22:28
- Forms
- Answer, §§ 22:24 to 22:26
- Complaint, §§ 22:14 to 22:23
- Cross claim, § 22:26
- Final jury instructions, § 22:28
- Jury instructions, § 22:28
- Jury verdict form, §§ 22:31, 22:32
- Jury verdict summaries, §§ 22:42 to 22:43
- Petition for appointment of trustee, § 22:12
- Petition for distribution of proceeds, § 22:2
- Settlement, § 720,000 for paper mill workers died, hydrogen sulfide gas exposure, § 22:37
- Heirs, action brought by, § 22:8

WRONGFUL DEATH ACTIONS

—Cont'd

- Jury instructions, **§ 22:28**
- Jury instructions forms, **§ 22:3**
- Jury verdict forms, §§ 22:3, 22:31, 22:32
- Jury verdict summaries, §§ 22:42 to 22:43
- Limitations of actions, §§ 22:6, 22:7
- Petition for appointment of trustee, § 22:12
- Punitive damages, § 22:5
- Remedies, §§ 22:4, 22:5
- Statute of limitations, §§ 22:6, 22:7
- Trusts and trustees, § 22:10

WRONGFUL DISCHARGE

- Generally, §§ 6:1 to 6:70
- Age discrimination, complaint alleging, § 6:16
- Anesthesiologists, hospital, § 6:62
- Answers forms, §§ 6:24 to 6:28
- Authority, § 6:2
- Breach of employment agreement, complaint alleging, § 6:18
- Case settlement summary, § 6:54
- Checklists, § 6:10
- Class actions, complaint alleging, § 6:19
- Compensatory damages, § 6:4
- Complaint forms, §§ 6:11 to 6:24, 6:20
- Counterclaims forms, §§ 6:24 to 6:28
- Defenses, §§ 6:7 to 6:9
- Disability discrimination, complaint alleging, § 6:16
- Discrimination
 - Age discrimination, complaint alleging, § 6:16
 - Disability discrimination, complaint alleging, § 6:16
 - Gender, § 6:55
- Forms
 - Generally, §§ 6:11 to 6:70
 - Affirmative defenses, §§ 6:24 to 6:28
 - Age discrimination, complaint alleging, § 6:16
 - Answers, §§ 6:24 to 6:28

WRONGFUL DISCHARGE

—Cont'd

- Forms—Cont'd
 - Breach of employment agreement, complaint alleging, § 6:18
 - Case settlement summary, §§ 6:54, 6:55, 6:64
 - Class actions, complaint alleging, § 6:19
 - Complaint, §§ 6:11 to 6:24, 6:20
 - Counterclaims, §§ 6:24 to 6:28
 - Disability discrimination, complaint alleging, § 6:16
 - Hospital anesthesiologists, § 6:62
 - Jury instruction list, § 6:29
 - Jury instructions, §§ 6:27 to 6:29, 6:32
 - Jury verdict summaries, §§ 6:35 to 6:52, 6:56 to 6:63
 - Proposed jury instructions, § 6:29
 - Requested jury instructions, § 6:32
 - Sample trial court documents, §§ 6:11 to 6:70
 - Sex discrimination, complaint alleging, § 6:17
 - Special verdict, § 6:34
 - Tip-pooling, § 6:63
 - Trial court documents, samples, §§ 6:11 to 6:70
- Gender discrimination, § 6:55
- Hospital anesthesiologists, § 6:62
- Jury instruction list, § 6:29
- Jury instructions, §§ 6:27, 6:28
- Jury instructions forms, §§ 6:3, 6:29, 6:32
- Jury verdict forms, § 6:3
- Jury verdict summaries, §§ 6:35 to 6:52, 6:53, 6:56 to 6:63
- Limitation of actions, §§ 6:6, 6:7
- Mitigation of damages, § 6:8
- Plaintiff's proposed jury instructions, § 6:29
- Punitive damages, § 6:5
- Religious association, § 6:9
- Remedies, §§ 6:4, 6:5
- Sample jury instructions, § 6:30
- Sex discrimination, complaint alleging, § 6:17
- Special verdict, § 6:34

INDEX

WRONGFUL DISCHARGE

—Cont'd

Statute of limitations, §§ **6:6, 6:7**
Tip-pooling, § **6:63**

WRONGFUL DISCHARGE

—Cont'd

Trial court documents, samples,
§§ **6:11 to 6:70**