

Index

ABANDONMENT

Tenant's liability for rent after abandonment, **23:9**

ABUSIVE LITIGATION

Generally, **30:15**
Form of complaint, **34:73**

ACCELERATION

Tenant's liability for rent, **23:11**

ACCORD AND SATISFACTION

Forms, this index

ADMINISTRATIVE ORDERS

Common and contract carriers, violation by, **17:1**

AFFIDAVITS

Custodial parent's affidavit for settlement of minor's claim involving less than \$5,000, form of, **34:48**
Demand for money collected by officers, form of, **34:15**
Execution and garnishment, affidavit of illegality, **14:2**
In forma pauperis, form of affidavit and motion to proceed, **34:40**

AFFIRMATIVE DEFENSE

Landlord and tenant, constructive eviction as affirmative defense, **23:5**

AMERICAN EXPERIENCE TABLE OF MORTALITY

Generally, **33:3**

AMOUNT OF DAMAGES

Generally, **7:1 to 7:5**
Certainty requirement, **7:1**
Excessive damages, **7:3**
Execution and garnishment, **14:8**
Inadequate damages, **7:3**
Jury discretion as to amount, **7:4**
Jury instructions, **32:7**

AMOUNT OF DAMAGES—Cont'd

Measure of damages, **7:2**
Verdict modification, **7:5**

ANIMALS

Harm by animals, **30:4**
Harm to animals, **30:3**

ANNUITY MORTALITY TABLES

1949 annuity mortality table, ultimate, **33:5**

ANTICIPATORY BREACH

Tenant's liability for rent, **23:11**

APPEALS

Attorney's fees, frivolous claims and defenses, **9:10**
Condemnation, form of appeal, **34:24, 34:27**
Costs
generally, **10:2**
delay, appeal taken for, **10:3**
dismiss appeal for failure to pay, form of motion, **34:39**
Special master, form of appeal of award of, **34:24**
Verdict on appeal, form of, **34:27**

APPORTIONMENT OF DAMAGES

Generally, **11:1 to 11:6**
Comparative negligence in Georgia (O.C.G.A. §§ 46-8-291, 51-11-7), **11:3**
Contribution and indemnity (O.C.G.A. § 51-12-32), joint tortfeasors, **11:4**
Joint tortfeasors
generally, **11:4**
contribution and indemnity (O.C.G.A. § 51-12-32), **11:4**
plaintiff in some degree responsible, actions against more than one person where, **11:5**

APPORTIONMENT OF DAMAGES
—Cont'd

- Jury instructions, **32:10**
- Negligent security actions, **11:6**
- Statutory provisions, **11:2**
- Wrongful death, form of motion by custodial parent to apportion judgment, **34:91**

ARBITRATION AND AWARD

- Practice and procedure, form of allegation, **34:12**

ASSAULT AND BATTERY

- Generally, **30:5**
- Form of complaint, **34:74**

ASSESSORS

- Condemnation, form of award of assessors, **34:25**

ASSIGNMENT

- Landlord and Tenant, this index

ATTORNEY'S FEES

- Generally, **9:1 to 9:20**
- Allegation in complaint, form of, **34:8**
- Amount, **9:5**
- Bad faith, **9:2**
- Civil Practice Act, **9:7**
- Condemnation, statutory provisions, **9:8**
- Contract cases, **9:3**
- Corporations, forms, **34:16**
- Domestic relations, statutory provisions, **9:9**
- Double recovery of attorney fees, prohibited, **9:20**
- Forms
 - generally, **34:6 to 34:10**
 - complaint, allegation in, **34:8**
 - corporations, **34:16**
 - lien on judgment, **34:6**
 - lien on property, **34:7**
 - notice in pleadings, **34:9**
 - secure debt, provision in deed to, **34:10**
- Frivolous claims and defenses
 - generally, **9:18**
 - appeals, statutory provisions, **9:10**

ATTORNEY'S FEES—Cont'd

- Garnishment, statutory provisions, **9:11**
 - Insurance
 - generally, **22:1**
 - statutory provisions, **9:12**
 - Jury instructions, **32:9**
 - Landlord and tenant
 - statutory provisions, **9:13**
 - tenant's liability for rent, **23:13**
 - Liens
 - judgment, form of lien on, **34:6**
 - property, form of lien on, **34:7**
 - Notes and security instruments, statutory provisions, **9:14**
 - Notice in pleadings, form of, **34:9**
 - Offer of judgment, **9:19**
 - Receiverships, statutory provisions, **9:15**
 - Recovery of attorney's fees from client, **9:17**
 - Secure debt, form of provision in deed to, **34:10**
 - Statutory provisions
 - generally, **9:6 to 9:16**
 - Civil Practice Act, **9:7**
 - condemnation, **9:8**
 - domestic relations, **9:9**
 - frivolous appeal, **9:10**
 - garnishment, **9:11**
 - insurance, **9:12**
 - landlord and tenant, **9:13**
 - notes and security instruments, **9:14**
 - receiverships, **9:15**
 - workers' compensation, **9:16**
 - Stubborn litigiousness, O.C.G.A. § 13-6-11, **9:2**
 - Tort cases, **9:4**
 - Workers' compensation, statutory provisions, **9:16**
- AUCTIONS AND AUCTIONEERS**
- Contracts and related matters, **19:8**
- AUTOMOBILES**
- Personal property, **26:5, 26:6**
- AWARD**
- Arbitration and Award, this index

INDEX

BAD CHECKS

Writing bad checks, damages for,
15:3

BAD FAITH

Attorney's fees, **9:2, 22:1**
Costs, **10:4**
Insurance, bad faith and attorneys'
fees, **22:1**

BAILMENTS

Contracts and related matters, **19:9**
Trespass to personalty, **30:29**

BANKING AND INVESTMENT SECURITIES

Generally, **15:1 to 15:7**
Attorney's fees, statutory provisions,
9:14
Bad checks, damages for writing,
15:3
Banking, generally, **15:1 to 15:3**
Broker against principal, actions by,
15:6
Conversion, **15:1**
Dishonor, **15:2**
Investment securities, generally, **15:4**
to **15:7**
Mishandling of conversion, **15:1**
Principal against broker, actions by,
15:7
Sales and investment securities, **15:4**
Wrongful transfer of securities, **15:5**

BATTERY

Assault and Battery, this index

BONDS

Execution and Garnishment, this
index
Supersedeas Bonds, this index

BREACH OF CONTRACT

Sales of Goods, this index

BUILDING CONTRACTORS

Contracts and related matters, **19:10**

BUSINESS ASSOCIATIONS

Generally, **16:1 to 16:4**
Corporations, this index
Limited partnerships, **16:4**

BUSINESS ASSOCIATIONS

—Cont'd

Partnerships, this index

CARRIERS

Common and Contract Carriers, this
index

CHILDREN

Parent and Child, this index

CIVIL PRACTICE ACT

Attorney's fees, **9:7**

COLLATERAL SOURCE RULE

Evidence, **13:3**

COMMERCIAL CONTRACT

Waiver or renunciation of claim, form
of, **34:37**

COMMISSIONER'S 1958 STANDARD ORDINARY MORTALITY TABLE

Generally, **33:4**

COMMISSIONER'S 1961 STANDARD INDUSTRIAL MORTALITY TABLE

Generally, **33:6**

COMMISSIONER'S 1980 STANDARD MORTALITY TABLE

Generally, **33:2**

COMMON AND CONTRACT CARRIERS

Generally, **17:1 to 17:7**
Administrative order, violation of,
17:1

Care, duty of, **17:2**

Damage to shipped goods, forms,
34:22

Delays

delivery of goods, **17:5**

transportation delays, forms, **34:22**

Duty of care, **17:2**

Forms

generally, **34:19 to 34:22**

damage to shipped goods, **34:22**

delay in transportation, **34:22**

**COMMON AND CONTRACT
CARRIERS—Cont'd**

- Forms—Cont'd
 - insurance company, complaint against common carrier and, **34:20**
 - perishable products, complaint for damages arising from loss of, **34:19**
 - personal injury caused by carrier, **34:21**
- Indemnity, **17:7**
- Injury to property or person, **17:3, 17:4, 34:21, 34:22**
- Insurance company, form of complaint against common carrier and, **34:20**
- Limitation of damages, **17:7**
- Loss of property, measure of damages for, **17:3**
- Overcharging and overweighing by carriers, **17:6**
- Perishable products, form of complaint for damages arising from loss of, **34:19**
- Personal injury
 - form of complaint for personal injury caused by carrier, **34:21**
 - passenger, **17:4**
- Property, loss of or injury to, **17:3**

COMPARABLE SALES

- Evidence, **13:4**

COMPARATIVE NEGLIGENCE

- Apportionment of damages, comparative negligence in Georgia (O.C.G.A. §§ 46-8-291, 51-11-7), **11:3**

COMPENSATORY DAMAGES

- Generally, **2:1 to 2:9**
- Causation of damages
 - generally, **2:3 to 2:6**
 - contract actions, **2:5**
 - remote damages, **2:6**
 - tort actions, **2:4**
- Consequential damages, causation of, **2:6**

**COMPENSATORY DAMAGES
—Cont'd**

- Contract actions, causation of damages, **2:5**
- General damages, distinguished from specific damages, **2:2**
- Jury instructions, **32:3**
- Mitigation of damages, **2:9**
- Nominal damages, **2:7**
- Remote damages, causation of, **2:6**
- Specific damages, distinguished from general damages, **2:2**
- Speculative damages, causation of, **2:6**
- Standard of recovery, compensation as, **2:1**
- Temperate damages, **2:8**
- Tort actions, causation of damages, **2:4**

COMPUTERS

- Trespass to personalty, **30:31**

CONDEMNATION

- Generally, **18:1 to 18:18**
- Appeals, forms, **34:24, 34:27**
- Application for payment, forms, **34:23**
- Assessors, form of award of, **34:25**
- Attorney's fees, statutory provisions, **9:8**
- Business-relocation expenses and benefits, **18:10**
- Consequential damages or benefits, **18:9, 18:13**
- "Damaging," what constitutes and importance, **18:3, 18:4**
- Evidence
 - generally, **18:13 to 18:18**
 - consequential damages or benefits, **18:13**
 - value, evidence of, below
- Finality of judgments, **18:5**
- Forms
 - appeals, **34:24, 34:27**
 - application for payment, **34:23**
 - assessors, award of, **34:25**
 - special master, appeal of award of, **34:24**
 - taking, declaration of, **34:26**

INDEX

CONDEMNATION—Cont'd

- Forms—Cont'd
 - verdict on appeal, **34:27**
- Interest, measure of damages, **18:11**
- Jury instructions, **32:12**
- Just compensation requirement, **18:1**
- Land for particular purpose, evidence of value of, **18:14**
- Leasehold interest, measure of damages, **18:8**
- Measure of damages
 - generally, **18:6 to 18:11**
 - business-relocation expenses and benefits, **18:10**
 - consequential damages, **18:9**
 - interest, **18:11**
 - leasehold interest, **18:8**
 - reparable property, **18:7**
- Persons entitled to compensation, **18:12**
- Potential value after condemnation, evidence, **18:16**
- Relocation expenses and benefits, **18:10**
- Reparable property, measure of damages, **18:7**
- Same or similar property, evidence of value or sales of, **18:17**
- Special master, form of appeal of award of, **34:24**
- Trees and timber, evidence of value of, **18:18**
- “Taking”
 - form of declaration of taking, **34:26**
 - importance of, **18:3, 18:4**
- Value, evidence of
 - land for particular purpose, **18:14**
 - owner, value to, **18:15**
 - potential value after condemnation, **18:16**
 - same or similar property, value or sales of, **18:17**
 - trees and timber, **18:18**
- Verdict on appeal, form of, **34:27**

CONSEQUENTIAL DAMAGES OR BENEFITS

- Compensatory damages, **2:6**

CONSEQUENTIAL DAMAGES OR BENEFITS—Cont'd

- Condemnation, **18:9, 18:13**
- Sales of goods, form of limitations on liability, **34:71**

CONSTRUCTIVE EVICTION

- Landlord and tenant, constructive eviction as affirmative defense, **23:5**

CONSUMER CREDIT

- Statutory damages, **24:4**

CONTRACT CARRIERS

- Common and Contract Carriers, this index

CONTRACTS AND RELATED MATTERS

- Generally, **19:1 to 19:15**
- Accounts and accounting, **19:7**
- Attorney's fees, **9:3**
- Auctions and auctioneers, **19:8**
- Bailments, **19:9**
- Building contractors, **19:10**
- Compensatory damages, causation of damages, **2:5**
- Contract related matters, generally, **19:7 to 19:15**
- Forms, this index
- Fraud in the inducement, **19:12**
- Guaranty and suretyship, **19:13**
- Illegal and unenforceable contracts, **19:5**
- Implied-in-fact contracts, **19:2**
- Independent covenants, mutual promises and, **19:6**
- Inducement, fraud in the, **19:12**
- Interest, unliquidated damages, **8:2**
- Jury instructions, **32:13**
- Limitation of liability, **19:4**
- Measure of recovery, **19:1, 19:2**
- Mutual promises and independent covenants, **19:6**
- Official bonds, **19:14**
- Prompt Pay Act, **19:15**
- Punitive damages, **5:6**
- Quantum meruit, measure of recovery, **19:2**

CONTRACTS AND RELATED MATTERS—Cont'd

Rescission, **19:3**
 Suretyship and guaranty, **19:13**
 Tortious interference with contractual relations, **30:13**
 Unenforceable contracts, **19:5**
 Will, contract to make a, **19:11**

CONTRIBUTION AND INDEMNITY

Apportionment of damages, (O.C.G.A. § 51-12-32), joint tortfeasors, **11:4**
 Products liability, **30:24**

CONVERSION AND TROVER

Generally, **30:32**
 Bailor's complaint for conversion, form of, **34:83**
 Banking and investment securities, **15:1**

CORPORATIONS

Attorney's fees, forms, **34:16**
 Costs, forms, **34:16**
 Derivative action by shareholders, forms, **34:17**
 Director's and officer's liability to corporation and shareholders, **16:1**
 Forms
 attorneys' fees, **34:16**
 costs, **34:16**
 derivative action by shareholders, **34:17**
 order for examination, **34:16**
 strict liability, complaint that plaintiff is a corporation, **34:64**
 Limited liability companies, **16:2**
 Order for examination, forms, **34:16**
 Strict liability, form of complaint that plaintiff is a corporation, **34:64**

COSTS

Generally, **10:1 to 10:5**
 Affidavit and motion to proceed in forma pauperis, forms, **34:40**
 Appeals, this index
 Attorney's Fees, this index

COSTS—Cont'd

Bad faith, **10:4**
 Bonds, form of motion for supersedeas, **34:41**
 Corporations, forms, **34:16**
 Delay, appeal taken for, **10:3**
 Execution and Garnishment, this index
 In forma pauperis, form of affidavit and motion to proceed, **34:40**
 Forms
 generally, **34:38 to 34:38**
 affidavit and motion to proceed in forma pauperis, **34:40**
 appeal for failure to pay, motion to dismiss, **34:39**
 bonds, motion for supersedeas, **34:41**
 in forma pauperis, affidavit and motion to proceed, **34:40**
 litigation expenses, allegation in complaint for, **34:43**
 payment of expenses and order, motion for, **34:38**
 supersedeas bonds, **34:41, 34:42**
 Funeral expenses, wrongful death, **31:10**
 Litigation expenses
 generally, **10:5**
 form of allegation in complaint for litigation expenses, **34:43**
 Medical Expenses, this index
 Stubborn litigiousness, **10:4**
 Supersedeas bonds, forms, **34:41, 34:42**
 Wrongful death, funeral expenses, **31:10**

COVENANT NOT TO SUE

Forms, **34:32**

“COVER”, RIGHT TO

Sales of goods, buyer's remedies upon seller's breach, **29:11**

CREDITOR AND DEBTOR

Forms
 discriminatory denial of credit, complaint for damages arising from, **34:45**

INDEX

CREDITOR AND DEBTOR—Cont'd

- Forms—Cont'd
 - interest, loan contract provisions regarding, **34:44**
- Jury instructions, **32:14**

CUSTODIAL PARENT

- Affidavit of custodial parent, form of settlement of minor's claim involving less than \$5,000, **34:48**
- Wrongful death, form of motion to apportion judgment, **34:91**

DAMAGED OR DESTROYED PREMISES

- Tenants' liability, **23:17**

DEATH

- Wrongful Death, this index

DEBTOR

- Creditor and Debtor, this index

DEFAMATION

- Generally, **30:6 to 30:9**
- Complaint for libel, form of allegations in, **34:76**
- Defamation, **30 to 8**
- Libel, generally, **30:8**
- Merchant, form of allegation of damage for slandering plaintiff in trade as a, **34:75**
- Perishable food products, disparagement of, **30:9**
- Slander, generally, **30:7**

DEFINITIONS

- Damages, **1:2**

DELAY

- Common and Contract Carriers, this index
- Costs, appeal taken for delay, **10:3**

DIMINISHED CAPACITY TO WORK

- Pain and suffering, **4:8**

DIRECTED VERDICT

- Pleading and practice, **12:4**

DISCONTINUED CLAIM

- Execution and garnishment, **14:4**

DISCRIMINATION

- Credit, form of complaint for damages arising from discriminatory denial of, **34:45**
- Employment relations, **21:2**

DISHONOR

- Banking and investment securities, **15:2**

DISMISSED CLAIM

- Appeal for failure to pay costs, form of motion to dismiss, **34:39**
- Execution and garnishment, **14:4**

DISPOSSESSORY WARRANTS

- Landlord and tenant, liabilities upon termination, **23:16**

DISTRESS WARRANTS

- Landlord and tenant, liabilities upon termination, **23:15**

DOMESTIC LAW

- Generally, **20:1 to 20:3**
- Attorney's fees, statutory provisions, **9:9**
- Husband and Wife, this index
- Jury instructions, **32:15**
- Parent and Child, this index

DUTY OF CARE

- Common and contract carriers, **17:2**

ECONOMIC VALUE OF DECEDENT'S LIFE

- Wrongful death, **31:5**

ELECTION OF REMEDIES

- Pleading and practice, **12:3**

E-MAIL

- Georgia Slam Spam e-mail Act, **24:8**

EMOTIONAL DISTRESS

- Mental Anguish or Distress, this index

EMPLOYMENT RELATIONS

- Generally, **21:1 to 21:4**
- Discrimination in employment, **21:2**
- Forms
 - hiring of employee, allegation of negligence in, **34:50**

EMPLOYMENT RELATIONS

—Cont'd

- Forms—Cont'd
 - negligence of employer, complaint alleging, **34:49**
- Georgia right to work law, **21:4**
- Hiring of employee, form of allegation of negligence in, **34:50**
- Negligence, form of complaint alleging, **34:49, 34:50**
- Workers' compensation benefits, **21:3**
- Wrongful discharge, **21:1**

EVICITION

- Landlord and Tenant, this index

EVIDENCE

- Generally, **13:1 to 13:9**
- Collateral source rule, **13:3**
- Comparable sales evidence, **13:4**
- Condemnation, this index
- Death, wrongful death evidence, **13:8**
- Injuries
 - permanent injury, **13:7**
 - physical injury evidence, **13:6**
- Jury instructions, **32:11**
- Methods of proof, **13:2**
- Opinion evidence, **13:5**
- Permanent injury, **13:7**
- Physical injury evidence, **13:6**
- Punitive damages, **5:3**
- Value, **13:1, 13:2**
- Wealth of parties, **13:9**
- Wrongful death evidence, **13:8**

EXCESSIVE DAMAGES

- Amount of damages, **7:3**

EXECUTION AND

GARNISHMENT

- Generally, **14:1 to 14:11**
- Affidavit of illegality, costs and damages, **14:2**
- Amount of recovery, **14:8**
- Assessment of damages, method, **14:5**
- Attorney's fees, statutory provisions, **9:11**
- Bonds
 - generally, **14:3**

EXECUTION AND

GARNISHMENT—Cont'd

- Bonds—Cont'd
 - measure of damages on forthcoming bonds, **14:1**
- Continuing garnishment, **14:11**
- Costs
 - generally, **14:7**
 - affidavit of illegality, **14:2**
- Discontinued claim, **14:4**
- Dismissed claim, **14:4**
- Execution, generally, **14:1 to 14:8**
- Forthcoming bonds, measure of damages on, **14:1**
- Garnishment, generally, **14:9 to 14:11**
- Illegality affidavit, **14:2**
- Post-judgment garnishment, **14:10**
- Prior to judgment, garnishment, **14:9**
- Security for damages, bond and, **14:3**
- Unsuccessful claimant, damages against, **14:6**

EXPRESS WARRANTY

- Sales of goods, form of limitations on liability, **34:71**

FAIR BUSINESS PRACTICES ACT

- Form of complaint for relief, **34:62**
- Statutory damages, **24:5**

FEES

- Attorney's Fees, this index

FORMS

- Generally, **34:1 to 34:91**
- Accord and satisfaction
 - agreement, **34:28**
 - defense, **34:29**
 - practice and procedure, **34:11**
 - statutory liens, notice and demand for satisfaction, **34:61**
- Accounting, partnerships and petition for, **34:18**
- Affidavits, this index
- Alternative claims in complaint, **34:2**
- Apportionment, custodial parent's motion to apportion judgment in wrongful death, **34:91**

INDEX

FORMS—Cont'd

Arbitration and award, allegation of, **34:12**
Attorney's Fees, this index
Carriers. Common and Contract Carriers, this index
Children. See Parent and child, below
Commercial contract, waiver or renunciation of claim, **34:37**
Common and Contract Carriers, this index
Condemnation, this index
Contract carriers. Common and Contract Carriers, this index
Contracts
 accord and satisfaction, above covenant not to sue, **34:32**
 money due on account, complaint for, **34:30**
 promissory note, complaint on, **34:31**
 release
 generally, **34:33**
 commercial contract, waiver or renunciation of claim, **34:37**
 defense of release, **34:36**
 novation, release of claims by other contracting party, **34:34**
 operation of law, release by, **34:35**
Corporations, this index
Costs, this index
Covenant not to sue, **34:32**
Creditor and Debtor, this index
Custodial parent, affidavit for settlement of minor's claim involving less than \$5,000, **34:48**
Demand for money collected by officers, affidavit, **34:15**
Employment Relations, this index
Fair Business Practices Act, complaint for relief, **34:62**
General damages, pain and suffering, **34:4**
Husband and Wife, this index
In forma pauperis, affidavit and motion to proceed, **34:40**

FORMS—Cont'd

Interest
 pleading for interest, **34:51**
 usury, allegation in plea of, **34:52**
Landlord and Tenant, this index
Notice and demand for satisfaction, statutory liens, **34:61**
Novation, release of claims by other contracting party, **34:34**
Officers, demand for money collected by, **34:15**
Operation of law, release by, **34:35**
Pain and suffering, allegation of general damages, **34:4**
Parent and Child, this index
Partnerships, petition for accounting, **34:18**
Practice and procedure
 generally, **34:11 to 34:14**
 accord and satisfaction, allegation of, **34:11**
 arbitration and award, allegation of, **34:12**
 payment, allegation of, **34:13**
 verdict, **34:14**
Products liability, strict liability complaint against manufacturer, **34:63**
Promissory note, complaint on, **34:31**
Punitive damages, allegations seeking, **34:5**
Real property, invitee's complaint for personal injuries, **34:65**
Release. See Contracts, above
Renunciation of claim, commercial contract, **34:37**
Sales of Goods, this index
Satisfaction. See Accord and satisfaction, above
Secured transactions, complaint for damages, **34:60**
Special damages, allegation of, **34:3**
Spouse. Husband and Wife, this index
Statutory liens, notice and demand for satisfaction, **34:61**
Strict liability
 corporation, complaint that plaintiff is a, **34:64**

FORMS—Cont'd

- Strict liability—Cont'd
 - products liability, strict liability complaint against manufacturer, **34:63**
- Torts, this index
- Verdict, form of, **34:14**
- Waiver of claim, commercial contract, **34:37**
- Wife. Husband and Wife, this index
- Willful tort of minor child, count for damages for, **34:47**
- Wrongful Death, this index

FRAUD AND DECEIT

- Generally, **30:10**
- Contracts and related matters, fraud in the inducement, **19:12**
- Negligent misrepresentation, **30:11**
- Torts, forms, **34:77, 34:78**

FRIGHT

- Pain and suffering, specific recoveries, **4:4**

FRIVOLOUS CLAIMS AND DEFENSES

- Attorney's Fees, this index

“FULL VALUE OF LIFE OF DECEDENT”

- Wrongful Death, this index

FUNERAL EXPENSES

- Wrongful death, **31:10**

FUTURE EARNINGS

- Special damages and pecuniary loss, **3:8, 3:9**

FUTURE MEDICAL EXPENSE

- Special damages and pecuniary loss, **3:5**

FUTURE PAIN AND SUFFERING

- Generally, **4:7**

GARNISHMENT

- Execution and Garnishment, this index

GENERAL DAMAGES

- Compensatory damages, distinguished from specific damages, **2:2**
- Pain and Suffering, this index

GEORGIA INDUSTRIAL LOAN ACT

- Statutory damages, **24:7**

GUARANTY AND SURETYSHIP

- Contracts and related matters, **19:13**

HUMILIATION

- Pain and suffering, specific recoveries, **4:4**

HUSBAND AND WIFE

- Domestic law, **20:1**
- Forms
 - loss of consortium, **34:46**
 - wrongful death, surviving spouse's complaint, **34:88**
- Loss of consortium
 - generally, **20:2**
 - forms, **34:46**

IMMUNITY

- Torts, form of allegations of defense of immunity, **34:85**

IMPLIED-IN-FACT CONTRACTS

- Quantum meruit, **19:2**

INCIDENTAL DAMAGES

- Sales of goods, form of limitations on liability, **34:71**

INDEMNITY

- Contribution and Indemnity, this index

INDEPENDENT COVENANTS

- Generally, **19:6**

INDUCEMENT, FRAUD IN THE

- Contracts and related matters, **19:12**

INFANT OR MINOR

- Parent or Child, this index

INFRINGEMENT

- Torts, **30:12**

INDEX

IN FORMA PAUPERIS

Affidavit and motion to proceed in
forma pauperis, form of, **34:40**

INSTRUCTIONS TO JURY

Jury Instructions, this index

INSURANCE

Generally, **22:1, 22:2**
Attorney's Fees, this index
Common and contract carriers, form
of complaint, **34:20**
Interest, **22:2**
Liability of insurer, **22:1, 22:2**

INTEREST

Generally, **8:1 to 8:7**
Calculating judgment to present
value, **8:6**
Condemnation, measure of damages,
18:11
Contracts, unliquidated damages, **8:2**
Forms, this index
Insurance, **22:2**
Jury instructions, **32:8**
Liquidated damages, prejudgment
interest, **8:4**
Loan contract provisions regarding
interest, form of, **34:44**
Post-judgment interest, **8:5**
Prejudgment interest
generally, **8:1 to 8:4**
contracts, unliquidated damages,
8:2
liquidated damages, **8:4**
torts, unliquidated damages, **8:3**
Present value, calculating judgment
to, **8:6**
Tenant's liability for rent, **23:13**
Torts, unliquidated damages, **8:3**
Unliquidated damages
contracts, **8:2**
liquidated damages, **8:4**
pre-judgment interest, **8:1 to 8:3**
torts, **8:3**
Usury
generally, **8:7**
form of allegation in plea of usury,
34:52

INTOXICATED DEFENDANTS

Punitive damages, **5:5**

INVESTMENT SECURITIES

Banking and Investment Securities,
this index

JOINT TORTFEASORS

Apportionment of Damages, this
index

JURY INSTRUCTIONS

Generally, **32:1 to 32:21**
Amount of damages, **32:7**
Apportionment of damages, **32:10**
Attorney's fees, **32:9**
Compensatory damages, **32:3**
Condemnation, **32:12**
Contracts and related matters, **32:13**
Creditor and debtor, **32:14**
Domestic law, **32:15**
Evidence, **32:11**
General damages, pain and suffering,
32:5
Interest, **32:8**
Nominal damages, **32:6**
Pain and suffering, general damages,
32:5
Pecuniary loss, special damages, **32:4**
Personal property, **32:16**
Punitive damages, **32:21**
Real property, **32:17**
Sale of goods, **32:18**
Sample jury instructions, **32:2**
Special damages, pecuniary loss,
32:4
Torts, **32:19**
Wrongful Death, this index

JUST COMPENSATION

Condemnation, **18:1**

LANDLORD AND TENANT

Generally, **23:1 to 23:18**
Abandonment by tenant, tenant's
liability for rent, **23:9**
Acceleration, tenant's liability for
rent, **23:11**
Acceptance and reentry after sur-
render, **23:12**

LANDLORD AND TENANT

—Cont'd

- Affirmative defense, constructive eviction as, **23:5**
- Anticipatory breach, tenant's liability for rent, **23:11**
- Assignment
 - original tenant's liability after assignment, **23:7**
 - transferee's liability after assignment, **23:8**
- Attorney's Fees, this index
- Compelling payment of rent into court, form of motion, **34:55**
- Constructive eviction as affirmative defense, **23:5**
- Damaged or destroyed premises, tenants' liability, **23:17**
- Default writ of possession and monetary judgment, form of application and order, **34:54**
- Defective premises, form of tenant's action for damages to caused by, **34:56**
- Demand letter, form of, **34:57**
- Dispossessory proceeding, form of answer and counterclaim, **34:53**
- Dispossessory warrants, liabilities upon termination, **23:16**
- Distress warrants, liabilities upon termination, **23:15**
- Duty to pay rent, **23:6**
- Eviction, tenants' remedies after
 - generally, **23:4, 23:5**
 - constructive eviction as affirmative defense, **23:5**
- Forms
 - generally, **34:53 to 34:59**
 - action for rent, **34:57, 34:58**
 - default writ of possession and monetary judgment, application and order, **34:54**
 - defective premises, tenant's action for damages to property caused by, **34:56**
 - demand letter, landlord's action for rent, **34:57**
 - dispossessory proceeding, answer and counterclaim, **34:53**

LANDLORD AND TENANT

—Cont'd

- Forms—Cont'd
 - motion to compel payment of rent into court, **34:55**
 - repair, tenant's counterclaims to landlord's action for rent for failure to, **34:59**
- Interest, tenant's liability for rent, **23:13**
- Landlord's responsibility for premises
 - duty to make repairs, **23:2**
 - failure to make repairs, **23:3**
 - tenant's remedies, **23:1 to 23:3**
- Reentry after surrender and acceptance, tenant's liability for rent, **23:12**
- Rent, tenant's liability for
 - generally, **23:6 to 23:13**
 - abandonment by tenant, **23:9**
 - acceleration and anticipatory breach, **23:11**
 - assignment, above
 - attorneys' fees and interest, **23:13**
 - duty to pay rent, **23:6**
 - interest, **23:13**
 - surrender, acceptance, and reentry, **23:12**
- Repairs
 - failure to make repairs, tenants' remedies, **23:3**
 - form of tenant's counterclaims to landlord's action for rent for failure to repair, **34:59**
 - landlord's duty to make repairs, **23:2**
- Retaliation by landlord, **23:19**
- Security deposits, tenants' liability regarding, **23:18**
- Surrender, acceptance, and reentry, tenant's liability for rent, **23:12**
- Termination, liabilities upon
 - generally, **23:14 to 23:16**
 - dispossessory warrants, **23:16**
 - distress warrants, **23:15**
 - occurrence of condition, termination upon, **23:14**

INDEX

LANDLORD AND TENANT

—Cont'd

Transferee's liability for rent after assignment, **23:8**

Warrants

dispossessory warrants, liabilities upon termination, **23:16**

distress warrants, **23:15**

LEASEHOLD INTEREST

Condemnation, measure of damages, **18:8**

LEGAL MALPRACTICE

Generally, **30:18**

LIBEL

Defamation, this index

LIENS

Attorney's Fees, this index

Statutory Liens, this index

LIMITATION OF ACTIONS

Pleading and practice, **12:2**

LIMITATION OF DAMAGES

Common and contract carriers, **17:7**

Sales of goods, **29:4**

LIMITED PARTNERSHIPS

Generally, **16:4**

LIQUIDATED DAMAGES

Generally, **6:1 to 6:5**

Interest, prejudgment interest, **8:4**

Penalties, distinguished from liquidated damages, **6:2**

Sales of goods, **29:4, 34:70**

Statutory penalties, **6:5**

Uniform Commercial Code, liquidated damages under, **6:3**

Unliquidated Damages, this index

LITIGATION EXPENSES

Attorney's Fees, this index

Costs, this index

Form of complaint, **34:43**

LOSS OF CONSORTIUM

Husband and Wife, this index

LOST EARNINGS

Special Damages and Pecuniary Loss, this index

MALICIOUS PROSECUTION

Generally, **30:14**

Form of allegations and demand in complaint, **34:80**

MALPRACTICE

Professional Malpractice, this index

MEDICAL EXPENSES

Special Damages and Pecuniary Loss, this index

Wrongful death, **31:10**

MEDICAL MALPRACTICE

Generally, **30:19**

Forms

demand in complaint, **34:81**

motion to strike improper portion of demand in complaint, **34:82**

MENTAL ANGUISH OR DISTRESS

Generally, **30:16**

Compensation, **4:3**

Pain and suffering, specific recoveries, **4:4**

Products liability, **30:23**

MINORS

Parent and Child, this index

MISFEASANCE

Trespass to personalty, transgression or offense which injures property, **30:28**

MITIGATION OF DAMAGES

Compensatory damages, **2:9**

MORTALITY TABLES

Generally, **33:1 to 33:6**

American experience table of mortality, **33:3**

Annuity mortality table for 1949, ultimate, **33:5**

Commissioner's 1958 standard ordinary mortality table, **33:4**

Commissioner's 1961 standard industrial mortality table, **33:6**

MORTALITY TABLES—Cont'd

Commissioner's 1980 standard mortality table, **33:2**

MOTOR VEHICLES

Personal property, **26:5, 26:6**

MUTUAL PROMISES AND INDEPENDENT COVENANTS

Generally, **19:6**

NEGLIGENCE

Apportionment of damages (O.C.G.A. §§ 46-8-291, 51-11-7), **11:3**

Employment relations
 employer's negligence, form of complaint alleging, **34:49**
 hiring of employee, form of allegation of negligence in, **34:50**

Fraud and deceit, negligent misrepresentation, **30:11**

NEXT OF KIN

Wrongful death, form of administrator or executor's complaint for benefit of next of kin, **34:89**

NOMINAL DAMAGES

Compensatory damages, **2:7**
 Jury instructions, **32:6**

NONACCEPTANCE

Sales of goods, form of seller's complaint, **34:67**

NONCONFORMANCE

Sales of goods, form of buyer's actions for damages, **34:69**

NON-PECUNIARY LOSS

Pain and Suffering, this index

NON-RECOVERABLE ITEMS

Wrongful death, **31:9**

NOTICE

Accord and satisfaction, form of notice and demand for satisfaction, **34:61**

Attorney's fees, form of notice in pleadings, **34:9**

NOVATION

Contracting party, form of release of claims by other, **34:34**

NUISANCES

Generally, **25:1 to 25:5**
 Commencement of action, damages after, **25:2**
 Injury to realty, **25:3**
 Permanent nuisances, **25:4**
 Special damages, **25:5**
 Temporary nuisances, **25:4**

OFFICIAL BONDS

Contracts and related matters, **19:14**

OPINION EVIDENCE

Generally, **13:5**

OVERCHARGING AND OVERWEIGHING

Common and contract carriers, **17:6**

PAIN AND SUFFERING

Generally, **4:1 to 4:9**
 Aggravation of pre-existing condition, specific recoveries, **4:5**
 Allegation of general damages, form of, **34:4**
 Arguing for pain and suffering damages, tort reform, **4:9**
 Compensation
 general damages, **4:1**
 mental pain and suffering, **4:3**
 physical pain and suffering, **4:2**
 Diminished capacity to work, labor, and earn money, **4:8**
 Emotional distress, specific recoveries, **4:4**
 Forms, allegation of general damages, **34:4**
 Fright, specific recoveries, **4:4**
 Future pain and suffering, **4:7, 4:8**
 General damages, see lines throughout this topic
 Humiliation, specific recoveries, **4:4**
 Jury instructions, **32:5**
 Mental pain and suffering, compensation, **4:3**
 Non-pecuniary loss, see lines throughout this topic

INDEX

PAIN AND SUFFERING—Cont'd

- Original injury, damages flowing from, **4:6**
- Physical pain and suffering, compensation, **4:2**
- Pre-existing condition, aggravation of, **4:5**
- Shock, specific recoveries, **4:4**
- Specific pain and suffering recoveries generally, **4:4 to 4:6**
 - emotional distress, humiliation, shock and fright, **4:4**
 - original injury, damages flowing from, **4:6**
 - pre-existing condition, aggravation of, **4:5**
 - successive tortfeasors, **4:6**
- Successive tortfeasors, specific recoveries, **4:6**

PARENT AND CHILD

- Domestic law, **20:3**
- Forms
 - affidavit of custodial parent, settlement of minor's claim involving less than \$5,000, **34:48**
 - willful tort of minor child, count for damages for, **34:47**
 - wrongful Death, this index
- Wrongful Death, this index

PARTNERSHIPS

- Accounting, form of petition for, **34:18**
- Actions between partners, **16:3**
- Limited partnerships, **16:4**

PECUNIARY LOSS

- Special Damages and Pecuniary Loss, this index

PERISHABLE PRODUCTS

- Common and contract carriers, form of complaint for loss of perishable products, **34:19**
- Defamation for disparagement of perishable food products, **30:9**

PERMANENT NUISANCES

- Generally, **25:4**

PERSONAL INJURY

- Common and Contract Carriers, this index

PERSONAL PROPERTY

- Generally, **26:1 to 26:6**
- Common and contract carriers, loss of or injury to property, **17:3**
- Jury instructions, **32:16**
- Market value, **26:2**
- Motor vehicles, **26:5, 26:6**
- Property without market value, **26:3**
- Special value to owner, property without market value, **26:3**
- Theft of personal property, **26:4**
- Trespass to Personalty, this index
- Uniqueness, property without market value, **26:3**
- Willful damage to or theft of personal property, **26:4**

PLEADING AND PRACTICE

- Generally, **12:1 to 12:5**
- Bifurcated trials, **12:5**
- Damages, directed verdict as to, **12:4**
- Directed verdict as to damages, **12:4**
- Election of remedies, **12:3**
- Limitation of actions, **12:2**
- Remedies, election of, **12:3**
- Statute of limitations, **12:2**

POST-JUDGMENT INTEREST

- Generally, **8:5**

PRACTICE AND PROCEDURE

- Forms, this index

PRE-EXISTING CONDITION

- Pain and suffering, aggravation of pre-existing condition, **4:5**

PREJUDGMENT INTEREST

- Interest, this index

PRICE

- Sales of goods, form of allegations and demands for seller's action for, **34:68**

PRODUCTS LIABILITY

- Generally, **30:20 to 30:25**
- Contribution and indemnity, **30:24**

PRODUCTS LIABILITY—Cont'd

- Economic loss, **30:21**
- Manufacturer, form of strict liability complaint against, **34:63**
- Mental harm, **30:23**
- Product damage, **30:22**
- Punitive damages, **5:4, 30:25**

PROFESSIONAL MALPRACTICE

- Generally, **30:17**
- Legal malpractice, **30:18**
- Medical malpractice, **30:19**

PROMISSORY NOTE

- Form of complaint, **34:31**

PROMPT PAY ACT

- Contracts and related matters, **19:15**

PROOF

- Evidence, this index

PUNITIVE DAMAGES

- Generally, **5:1 to 5:6**
- Contract actions, **5:6**
- Evidentiary considerations, **5:3**
- Form of allegations, **34:5**
- Fraud allegations, form of, **34:79**
- Intoxicated or impaired defendants, **5:5**
- Jury instructions, **32:21**
- Products liability, **5:4, 30:25**
- Trial structure, **5:2**
- Wrongful death, **31:3**

QUANTUM MERUIT

- Contracts and related matters, **19:2**

REAL PROPERTY

- Generally, **27:1 to 27:8**
- Covenants, **27:8**
- Improved realty (structures), **27:2**
- Jury instructions, **32:17**
- Personal injuries, form of invitee's complaint for, **34:65**
- Purchaser's remedies, sales of real property, **27:6**
- Sales of real property
 - generally, **27:5**
 - purchaser's remedies, **27:6**
 - vendor's remedies, **27:7**

REAL PROPERTY—Cont'd

- Trees and timber, damages for trespass, **27:4**
- Trespass, damages for
 - generally, **27:3**
 - trees and timber, **27:4**
- Unimproved realty, **27:1**
- Vendor's remedies, sales of real property, **27:7**
- Warranties of title, **27:8**

RECEIVERSHIPS

- Attorney's fees, statutory provisions, **9:15**

RECOVERY

- General principles, **1:3**

RELEASE FROM CONTRACTS

- Forms, this index

RELOCATION EXPENSES AND BENEFITS

- Condemnation, **18:10**

REMOTE DAMAGES

- Compensatory damages, causation of remote damages, **2:6**

RENT

- Landlord and Tenant, this index

RENUNCIATION

- Commercial contract, form of renunciation of claim, **34:37**

REPAIRS

- Landlord and Tenant, this index

REPUDIATION

- Sales of goods, form of seller's complaint, **34:67**

RESCISSION

- Contracts and related matters, **19:3**
- Sales contract, **29:5**

RESTITUTION

- Generally, **28:1, 28:2**
- Civil practice, **28:1**
- Criminal practice, **28:2**

RETALIATION

- Landlords, **23:19**

INDEX

SALES OF GOODS

- Generally, **29:1 to 29:13**
- Ascertainment of damages, **29:3**
- Breach
 - buyer's remedies upon seller's breach, below
 - seller's remedies upon buyer's breach, below
- Buyer's remedies upon seller's breach
 - generally, **29:10 to 29:13**
 - measure of damages, **29:13**
 - other remedies, **29:12**
 - right to "cover," **29:11**
 - warranty, form of actions for breach of, **34:69**
- Consequential damages, form of limitations on liability, **34:71**
- "Cover" right, buyer's remedies upon seller's breach, **29:11**
- Express warranty, form of limitations on liability, **34:71**
- Forms
 - generally, **34:66 to 34:72**
 - breach of warranty, buyer's actions for damages, **34:69**
 - express warranty, limitations on liability for incidental or consequential damages, **34:71**
 - liquidated damages provisions, **34:70**
 - nonconformance, buyer's actions for damages, **34:69**
 - price, allegations and demands for seller's action for, **34:68**
 - repudiation or nonacceptance, seller's complaint for damages, **34:67**
 - seller's complaint for damages, **34:66**
 - specific performance, buyer's complaint where damages remedy inadequate, **34:72**
- Incidental damages, form of limitations on liability, **34:71**
- Jury instructions, **32:18**
- Limitation of damages, **29:4**
- Limitations on liability for incidental or consequential damages, form of, **34:71**

SALES OF GOODS—Cont'd

- Liquidated damages
 - generally, **29:4**
 - form of provisions, **34:70**
 - Nonacceptance, form of seller's complaint, **34:67**
 - Nonconformance, form of buyer's actions for damages, **34:69**
 - Price, form of allegations and demands for seller's action for, **34:68**
 - Real Property, this index
 - Remedies, **29:2**
 - Repudiation, form of seller's complaint, **34:67**
 - Resale of goods by seller upon buyer's breach, **29:7**
 - Rescission of sales contract, **29:5**
 - Right to "cover," buyer's remedies upon seller's breach, **29:11**
 - Seller's remedies upon buyer's breach
 - generally, **29:6 to 29:9**
 - measure of damages, **29:9**
 - other remedies, **29:8**
 - resale of goods, **29:7**
 - Specific performance, form of buyer's complaint where damages remedy inadequate, **34:72**
 - Uniform Commercial Code, **29:1**
- ### SAME OR SIMILAR PROPERTY
- Condemnation, evidence of value or sales of same or similar property, **18:17**
- ### SAMPLE JURY INSTRUCTIONS
- Generally, **32:2**
- ### SECURED TRANSACTIONS
- Complaint for damages, form of, **34:60**
 - Statutory damages, **24:2**
- ### SECURITIES
- Banking and Investment Securities, this index
- ### SECURITY DEPOSITS
- Tenants' liability, **23:18**

SHOCK

Pain and suffering, specific recoveries, **4:4**

SLANDER

Defamation, this index

SOCIAL WELFARE

Statutory damages, **24:6**

SPAM E-MAIL

Georgia Slam Spam e-mail Act, **24:8**

SPECIAL DAMAGES AND PECUNIARY LOSS

Generally, **3:1 to 3:10**

Cash value, reduction of future pecuniary loss to present, **3:2**

Earnings. See Lost earnings, below
Expenses. See Medical expenses, below

Form of allegations, **34:3**

Future earning capacity, **3:9**

Future earnings, **3:8**

Future medical expense, **3:5**

Future pecuniary loss, reduction to present cash value, **3:2**

Jury instructions, **32:4**

Lost earnings

generally, **3:6 to 3:10**

future earning capacity, **3:9**

future earnings, **3:8**

present and future loss of profits, **3:10**

present pecuniary loss, **3:7**

Medical expenses

generally, **3:3 to 3:5**

future medical expense, **3:5**

present pecuniary loss, **3:4**

Nuisances, **25:5**

Present cash value, reduction of future pecuniary loss to, **3:2**

Reduction of future pecuniary loss to present cash value, **3:2**

SPECIAL MASTER

Condemnation, form of appeal of award of special master, **34:24**

SPECIFIC DAMAGES

Compensatory damages, distinguished from general damages, **2:2**

SPECIFIC PERFORMANCE

Sales of goods, form of buyer's complaint where damages remedy inadequate, **34:72**

SPECULATIVE DAMAGES

Compensatory damages, causation of speculative damages, **2:6**

SPOUSE

Husband and Wife, this index

STANDARD OF RECOVERY

Compensation as standard of recovery, **2:1**

STATUTE OF LIMITATIONS

Pleading and practice, **12:2**

STATUTORY DAMAGES

Generally, **24:1 to 24:8**

Consumer credit, **24:4**

E-mail, Georgia Slam Spam e-mail Act, **24:8**

Fair Business Practices Act, **24:5**

Georgia Industrial Loan Act, **24:7**

Liens, statutory liens, **24:3**

Secured transactions, **24:2**

Social welfare, **24:6**

Spam e-mail, Georgia Slam Spam e-mail Act, **24:8**

Statutory liens, **24:3**

STATUTORY LIENS

Accord and satisfaction, form of notice and demand for satisfaction, **34:61**

Notice and demand for satisfaction, form of, **34:61**

Statutory damages, **24:3**

STATUTORY PROVISIONS

Attorney's Fees, this index

STRICT LIABILITY

Forms, this index

INDEX

STUBBORN LITIGIOUSNESS

Attorney's fees, O.C.G.A § 13-6-11,
9:2

Costs, **10:4**

SUCCESSIVE TORTFEASORS

Pain and suffering, specific recoveries, **4:6**

SUPERSEDEAS BONDS

Costs, forms, **34:41, 34:42**

SURETYSHIP AND GUARANTY

Contracts and related matters, **19:13**

SURVIVING SPOUSE

Wrongful death, form of complaint,
34:88

TAKING

Condemnation, this index

TEMPERATE DAMAGES

Compensatory damages, **2:8**

TEMPORARY NUISANCES

Generally, **25:4**

TENANT

Landlord and Tenant, this index

TERMINATION

Landlord and Tenant, this index

THEFT

Computer trespass and theft, **30:31**

Personal property, **26:4**

TIMBER

Trees and Timber, this index

TORTS

Generally, **30:1 to 30:33**

Abusive Litigation, this index

Animals, this index

Assault and Battery, this index

Attorney's fees, **9:4**

Child, form of count for damages for willful tort of minor child, **34:47**

Compensatory damages, causation,
2:4

Contractual relations, tortious interference with, **30:13**

Conversion and Trover, this index

TORTS—Cont'd

Defamation, this index

Forms

generally, **34:73 to 34:85**

abusive litigation, **34:73**

assault and battery, **34:74**

conversion, complaint by bailor for, **34:83**

fraud complaints, **34:77, 34:78**

immunity, allegations of defense of, **34:85**

libel, allegations in complaint for, **34:76**

malicious prosecution, allegations and demand in complaint, **34:80**

medical malpractice, below

punitive damages, fraud allegations, **34:79**

slandering plaintiff in trade as a merchant, allegation of damage in action for, **34:75**

utility's failure to furnish service, complaint for, **34:84**

Fraud and Deceit, this index

Immunity, form of allegations of defense of, **34:85**

Infringement, **30:12**

Interest, unliquidated damages, **8:3**

Jury instructions, **32:19**

Legal malpractice, **30:18**

Libel, form of allegations in complaint for, **34:76**

Malicious prosecution

generally, **30:14**

form of allegations and demand in complaint, **34:80**

Malpractice

Medical Malpractice, this index

Professional Malpractice, this index

Mental anguish or distress, **30:16**

Minor child, form of count for damages for willful tort of, **34:47**

Products Liability, this index

Punitive damages, form of fraud allegations, **34:79**

Right of privacy and right of publicity, **30:26, 30:27**

TORTS—Cont'd

- Slandering plaintiff in trade as a merchant, form of allegation of damage, **34:75**
- Terminology, **30:2**
- Tortious interference with contractual relations, **30:13**
- Trespass to Personalty, this index
- Trover. Conversion and Trover, this index
- Utility's failure to furnish service, form of complaint for, **34:84**
- Willful tort of minor child, form of count for damages for, **34:47**
- Wrongful birth, **30:33**

TREES AND TIMBER

- Condemnation, evidence of value of trees and timber, **18:18**
- Trespass, damages for, **27:4**

TRESPASS

- Personal property. Trespass to Personalty, this index
- Real Property, this index

TRESPASS TO PERSONALTY

- Generally, **30:28 to 30:31**
- Bailments, **30:29**
- Computer trespass and theft, **30:31**
- Measure of damages, **30:30**
- Misfeasance, transgression or offense which injures property, **30:28**

TROVER

- Conversion and Trover, this index

UNIFORM COMMERCIAL CODE

- Liquidated damages under Code, **6:3**
- Sales of goods, **29:1**

UNLIQUIDATED DAMAGES

- Generally, **6:4**
- Interest, this index

USURY

- Interest, this index

UTILITIES

- Torts, form of complaint for utility's failure to furnish service, **34:84**

VERDICT

- Amount of damages, modification of verdict, **7:5**
- Condemnation, form of verdict on appeal, **34:27**
- Directed verdict, **12:4**
- Form of, **34:14**
- Practice and procedure, form of verdict, **34:14**

WAIVER

- Commercial contract, form of waiver of claim, **34:37**

WARRANTIES OF TITLE

- Real property, **27:8**

WARRANTS

- Landlord and Tenant, this index

WIFE

- Husband and Wife, this index

WILLFUL DAMAGE

- Personal property, **26:4**

WILLFUL TORTS

- Minor child, form of count for damages for willful tort of, **34:47**

WILLS

- Contract to make a will, **19:11**

WORKERS' COMPENSATION

- Attorney's fees, statutory provisions, **9:16**
- Employment relations, **21:3**

WRONGFUL BIRTH

- Torts, **30:33**

WRONGFUL DEATH

- Generally, **31:1 to 31:10**
- Custodial parent, form of motion to apportion judgment, **34:91**
- Economic value of decedent's life, **31:5**
- Elements of full value of the life of decedent, **31:4**
- Evidence, **13:8**
- Forms
 - child, parent's complaint for death of, **34:86**

INDEX

WRONGFUL DEATH—Cont'd

Forms—Cont'd

- custodial parent, motion to apportion judgment, **34:91**
- jury, issues of damages presented to, **34:90**
- next of kin, administrator or executor's complaint for benefit of, **34:89**
- parent, surviving children's complaint for death of, **34:87**
- surviving spouse's complaint, **34:88**
- "Full value of life of decedent"
 - elements, **31:4**
 - infant or minor, **31:7**
 - intangible element, **31:8**
- Funeral expenses, **31:10**
- Infant or minor, full value of life of, **31:7**
- Jury instructions
 - generally, **32:20**
 - form of issues of damages presented to jury, **34:90**
- Measure of damages, **31:2**
- Medical expenses, **31:10**
- Minor, full value of life of infant or, **31:7**

WRONGFUL DEATH—Cont'd

- Next of kin, form of administrator or executor's complaint for benefit of, **34:89**
- Non-recoverable items, **31:9**
- Parent and child
 - child, form of parent's complaint for death of, **34:86**
 - custodial parent, form of motion to apportion judgment, **34:91**
 - full value of life of infant or minor, **31:7**
 - parent, form of surviving children's complaint for death of, **34:87**
- Present cash value, reduction of value of decedent's death to, **31:6**
- Punitive damages, **31:3**
- Reduction to present cash value, **31:6**
- Surviving spouse's, form of complaint, **34:88**

WRONGFUL DISCHARGE

- Employment relations, **21:1**

WRONGFUL TRANSFER OF SECURITIES

- Generally, **15:5**