

CIVJIG 14.15 Burden of Proof

Deciding the issues in a case

You will be asked to answer "yes" or "no" to some questions on the verdict form.

The greater weight of the evidence must support a "yes" answer.

This means that all of the evidence, regardless of which party produced it, must lead you to believe that the claim is more likely true than not true.

Greater weight of the evidence does not necessarily mean the greater number of witnesses or the greater volume of evidence.

Any believable evidence may be enough to prove that a claim is more likely true than not.

CIVJIG 15.15 Two or More Defendants (Several Liability)

Two or more defendants

There are two defendants in this lawsuit.

Answer the questions for each defendant as though the lawsuits were being tried separately.

Each defendant must be judged separately.

Do not let your judgment about one defendant influence your judgment about the other.

View these instructions separately as they apply to each of the defendants.

Verdict Form

Case Type: 9 – Medical Malpractice

STATE OF MINNESOTA

DISTRICT COURT

COUNTY OF ST. LOUIS

SIXTH JUDICIAL DISTRICT

Kim Hart as Trustee
for the Next-of-Kin of
A.K. Hart, Decedent,
Plaintiff,

Court File No.: C6-97-1049

vs.

E. Mergent, M.D. St. Jennifer's Hospital
Croaker Medical Associates
and Dee V. Croaker, M.D.,

Defendants.

SPECIAL VERDICT

QUESTION 1: Was defendant Dee Croaker, M.D., negligent in treatment of Plaintiff?

ANSWER: Yes _____ No _____

If your answer is yes to this question, then you must answer Question 2. However, if your answer is no to this question, then you need not answer Question 2.

QUESTION 2: Was the negligence of defendant Dee Croaker, M.D, a direct cause of injury to Plaintiff?

ANSWER: Yes _____ No _____

QUESTION 3: Was defendant E. Mergent , M.D., negligent in treatment of Plaintiff?

ANSWER: Yes _____ No _____

If your answer is yes to this question, then you must answer Question 4. However, if your answer is no to this question, then you need not answer Question 4.

QUESTION 4: Was the negligence of defendant E. Mergent , M.D., a direct cause of injury to Plaintiff?

ANSWER: Yes _____ No _____

Dated: _____, 1998.

Foreperson