

## **JURY VERDICT FORM**

If you decide for the plaintiff on the question of liability, you must then fix the amount of money which will reasonably and fairly compensate the widow, son, and daughter of decedent for the pecuniary loss proved by the evidence to have resulted to them from the death of the decedent. "Pecuniary loss" may include loss of money, goods, services, and society and sexual relations.

Where a decedent leaves a widow and children, the law recognizes an assumption that the widow and children have sustained some substantial pecuniary loss by reason of the death. The weight to be given this presumption is for you to decide from the evidence in this case.

In determining pecuniary loss, you may consider what the evidence shows concerning the following:

1. What money, goods, and services the decedent customarily contributed in the pass
2. What money, goods, and services the decedent was likely to have contributed in the future
3. Decedents personal expenses and other deductions;
4. What instructions, moral training, and superintendence of education the decedent might reasonably have been expected to give his child had he lived;
5. His age;
6. His sex;
7. His health;
8. His habits of industry, sobriety, and thrift;
9. His occupational abilities;
10. The martial relationship that existed between Mary Carter Clark and Donald Clark;
11. The relationship between Donald Clark and his son;
12. The relationship between Donald Clark and his daughter.

When you retire to the jury room, you will first select a foreperson. He or she will preside during your deliberations.

Your verdict must be unanimous.

Forms of Verdicts are supplied with these instructions. After you have reached your verdict, fill in and sign the appropriate form of verdict and return it to the court. Your verdict must be signed by each of you. You should not write or mark upon this or any of the other instructions given to you by the court.

If you find for the estate of Donald Clark and against Joanna Stover, M.D., then you should use Verdict Form A.

If you find for Joanna Stover, M.D. and against the Estate of Donald Clark, then you should use Verdict form B.



**JURY VERDICT FORM**

**Verdict Form B**

We the jury, find for Joanna Stover, M.D. and against the Estate of Donald Clark.

JURY

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

Which element(s) did Plaintiff fail to prove?

- a. Breach
- b. Causation
- c. Breach and causation