### IDJI 1.41.4.1 – Charging instructions, negligence case, multiple defendants or parties, with comparative negligence.

For use with special jury verdict on interrogatories; three parts.

INSTRUCTION NO. \_\_\_\_\_

The plaintiff has the burden of proof on each of the following propositions:

1. The defendant was negligent.
2. The plaintiff was injured.
3. The negligence of the defendant was a proximate cause of the injury to the plaintiff.
4. The elements of damage and the amounts thereof.

You will be asked the following question on the jury verdict form:

Was the defendant negligent, and if so, was the negligence a proximate cause of the injuries to the plaintiff?

If you find from your consideration of all the evidence that each of these propositions has been proved, you should answer this question “Yes.” However, if you find that any of these propositions has not been proved, then the plaintiff has not met the burden of proof required and you should answer this question “No.”