### IDJI 10.02.1 – Product Liability – Manufacturer – general case

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

In order to prove the claim of product liability by a manufacturer, the plaintiff has the burden of proving each of the following propositions:

The defendant is, or was during the relevant time in question, a “manufacturer” of the product, as explained in these instructions;

The product was “defective,” as explained in these instructions;

The defect existed when the product left the defendant’s control;

The defect was a proximate cause of injury to the plaintiff; and

The nature and extent of the injuries, the elements of damages, and the amount thereof.

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

[Insert verdict question verbatim.]

If you find from your consideration of all of the evidence that each of these propositions has been proved, then on the verdict form, you should answer the question “Yes.” If you find that any of these propositions has not been proved, you should answer the question “No.”

Comments:

Puckett v. Oakfabco, Inc., 132 Idaho 816, 979 P.2d 1174 (1999).