### IDJI 10.10.1 Products liability defense – product misuse

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

Under the defense of product misuse as a basis for comparative fault, the defendant has the burden of proving each of the following:

1. The product was not used in a manner expected of a reasonably prudent person likely to use the product under the same or similar circumstances; and
2. The misuse was a proximate cause of the injuries or damages to the plaintiff.

Comments:

Idaho Code § 6-1305(3).