

**B45.03A2 Verdict Form A--Single Plaintiff and Claimed Multiple Tortfeasors--No Comparative Negligence--Verdict for Plaintiff Against Some But Not All Defendants**

**VERDICT FORM A**

We, the jury, find for [plaintiff's name] and against the following defendant or defendants:

Name of defendant 1	Yes	No
	_____	_____
Name of defendant 2	Yes	No
	_____	_____
Name of defendant 3	Yes	No
	_____	_____

We further find the following:

First: We find that the total amount of damages suffered by [plaintiff's name] as a proximate result of the occurrence in question is \$\_\_\_\_\_, itemized as follows:

The reasonable expense of past medical and medically related expenses: \$\_\_\_\_\_

(Other damages, insert from IPI 30 series) \$\_\_\_\_\_

PLAINTIFF'S TOTAL DAMAGES: \$\_\_\_\_\_

Second: Assuming that 100% represents the total combined legal responsibility of all [persons] [or] [entities] who [that] proximately caused [plaintiff's name] injury, we find the percentage of legal responsibility attributable to each as follows:

a) Defendant #1's name \_\_\_\_\_%

b) Defendant #2's name \_\_\_\_\_%

c) Defendant #3's name \_\_\_\_\_%

TOTAL 100%

*(Instructions to Jury: If you find that any party listed on the verdict form was not legally*

*responsible in a way that proximately caused plaintiff's injury, you should enter a zero (0)% as to that party.)*

[Signature lines]

*Verdict Form, Notes and Comment adopted January 2010. Notes revised May 2010.*

## **Notes on Use**

This verdict form should be used when there is no claim of contributory fault of the plaintiff and where the defendants do not have a contribution claim pending against any third party. If there is a claim of contributory fault, use B45.03A. If there is a contribution claim pending against a third party, use IPI 600.14 or 600.14A.

The bracketed itemization of damages in paragraph [First] should be used in any case where itemization of damages is required under 735 ILCS 5/2-1117 (joint and several liability) or if requested pursuant to 735 ILCS 5/2-1109, by any party. Also, if requested, each element of damages should be further itemized to provide separate lines for past and future loss pursuant to 735 ILCS 5/2-1109 (economic loss) and *Maddox v. Rozek*, 265 Ill. App. 3d 1007, 1011, 639 N.E.2d 164, 167, 203 Ill. Dec. 125, 128 (1st Dist. 1994) (non-economic loss). See also *Doering v. Janssen*, 76 Ill. App. 3d 62, 67, 394 N.E.2d 721, 725, 31 Ill. Dec. 519, 523 (3d Dist. 1979) where the court held it was not error to submit an itemized verdict form for both economic and noneconomic loss with separate lines for past and future damages.

Fill in the names of the parties and others before submitting this form to the jury. Where “Defendant A,” “Defendant B,” etc. appear, insert the names of each defendant on a separate line.

This instruction, or a variation of it, should be used in cases where there is one plaintiff and more than one defendant. If there are multiple counts, the operative paragraphs may need to be repeated for each count with the count identified, e.g. “under Count.”

In the event that any party moves for a separate verdict on any count, separate verdicts in addition to this verdict must be submitted. 735 ILCS 5/2-1201(c).

The committee believes that the italicized language could be helpful to explain the verdict form to the jury.

## **Comment**

See Comment to B45.03A.