



IN THE COUNTY COURT OF PIKE COUNTY, MISSISSIPPI

ASHLEIGH BETTIS AND  
BRITTANY BARNES

PLAINTIFFS

VS.

CAUSE NO. 57CO1:20-cv-809

AMANDA B. WHITEHEAD AND  
JOHN DOES 1-10

DEFENDANTS

JURY INSTRUCTION # \_\_\_\_\_

It is necessary that five (5) or more of you agree upon a verdict in this case. Each juror must participate in the verdict unless excused for good cause.

You are instructed that, in any lawsuit based on negligence causing an accident or injury, the liability for damages ~~is to be~~ <sup>may</sup> assessed proportionately among the persons responsible for proximately causing the incident. In other words, you, the jury, ~~must~~ <sup>may</sup> determine percentages of fault, if any, among all persons involved. In this case, the Plaintiffs have alleged that the Defendant negligently caused their alleged damages. The Defendant, Amanda Whitehead, on the other hand, contends that Plaintiff Brittany Barnes was the proximate cause of the Plaintiffs' alleged damages.

Under the circumstances, you must determine how to assess the allocation of fault, if any, between the parties. Complete the following questionnaire to assess responsibility for the collision once a verdict has been reached by any five (5) or more members of the Jury:

1. Do you find from a preponderance of the evidence that the accident was caused by any negligence on the part of the Defendant, Amanda Whitehead?

\_\_\_\_ YES  
X NO

*If you answered "yes" to this question, proceed to Question Number 2. If you answered "no" to this question, please stop and inform the Bailiff you have reached a verdict.*

2. What amount do you find by a preponderance of the evidence are the damages, if any, suffered by the Plaintiff, Brittany Barnes, as a result of the accident? Answer in dollars and cents.

Damages \$ \_\_\_\_\_

*Proceed to Question Number 3.*

3. What amount do you find by a preponderance of the evidence are the damages, if any, suffered by the Plaintiff, Ashleigh Bettis, as a result of the accident? Answer in dollars and cents.

Damages \$ \_\_\_\_\_

*Proceed to Question Number 4.*

4. Do you find from a preponderance of the evidence that the Plaintiff, Brittany Barnes, was negligent and that her negligence was the sole cause or proximate contributing cause of the Plaintiffs' damages?

\_\_\_\_\_ YES

\_\_\_\_\_ NO

*If you answered "yes" to this question, proceed to Question Number 5. If you answered "no" to this question, please stop and inform the Bailiff you have reached a verdict.*

5. What percentage of fault, if any, do you attribute to the negligence of each party? The Court will take the percentages you assign to each party to calculate the damages to be awarded to the Plaintiffs.

Plaintiff Brittany Barnes \_\_\_\_\_%

Defendant Amanda Whitehead \_\_\_\_\_%

**(Total must equal 100%)**

*Once completed, please inform the Bailiff you have reached a verdict.*