

STATE OF INDIANA)	IN THE ALLEN SUPERIOR COURT
)	SS
COUNTY OF ALLEN)	CAUSE NO. <u>02D09-2211-CT-000610</u>
ANASTASIA BLANCHARD)	
Plaintiff,)	
vs.)	
)	
)	
TOWNEPLACE SUITES by)	
MARRIOTT-FORT WAYNE)	
NORTH)	
Defendant.)	

INSTRUCTIONS AS TO VERDICT FORMS

1. First, determine if Plaintiff, Anastasia Blanchard, has proven by a greater weight of the evidence that:
 1. Defendant, TownePlace Suites, was negligent; and
 2. Plaintiff sustained an injury and/or damages: and
 3. Defendant's negligence was a responsible cause of the Plaintiff's injuries and damages.

If you find that the Plaintiff has failed to prove each and every of the above elements by a greater weight of the evidence, you should proceed to Verdict Form "A", which is attached and which should be signed and dated by the foreperson. There is no need for any further deliberation and you should disregard Verdict Forms B and C.

If you find that Plaintiff has proven all of the above elements by a greater weight of the evidence, proceed to Step 2.

2. You must determine whether the Defendant has proven by a greater weight of the evidence that:

1. Plaintiff was negligent; and
2. Plaintiff's negligence was a responsible cause of her injuries and damages.

If you find that the Defendant has failed to prove each and every of the above elements by a greater weight of the evidence, your verdict should be in favor of the Plaintiff and you must decide the total amount of damages that Plaintiff is entitled to recover. Upon making this determination you should proceed to Verdict Form "B" which is attached, and which should be signed and dated by the foreperson. There is no need for any further deliberation and you should disregard the Verdict Forms A and C.

If Defendant has proven all of the above elements in Step 2 by a greater weight of the evidence, proceed to Step 3.

3. If you found that the Defendant has proven by a greater weight of the evidence that:

1. Plaintiff was negligent; and
2. Plaintiff's negligence was a responsible cause of her injuries and damages.

you must then apportion the amount of negligence between the parties, or in other words the amount of fault, between Defendant and the Plaintiff on a percentage basis as follows:

A. Percentage of fault attributable to the Defendant

32 %

B. Percentage of fault attributable to the Plaintiff

68 %

(THE TOTAL OF THESE PERCENTAGES MUST EQUAL 100%)

If you have determined that the fault of the Plaintiff is more than 50% of the total fault you shall find that the Defendant is not liable to the Plaintiff. You should proceed to Verdict Form "A," which is attached, and which should be dated and signed by the jury foreperson. There is no need for any further deliberation and you should disregard Verdict Form B and C.

If you have determined that the fault of the Plaintiff is 50% or less of the total fault you shall proceed to Step 4.

4. You must decide the total amount of damages that Plaintiff is entitled to recover **without taking into consideration the fault of the parties** and enter the total amount of damages on line 1 of Verdict Form "C". Next, enter the percentage of fault of Defendant from Step 3 of these instructions and enter it on line 2 of Verdict Form "C". On Verdict Form "C", then multiply line 1 by line 2 and put the result in the line designated for the award. Verdict Form "C" should be signed and dated by the foreperson.

You should disregard Verdict Forms, A and B.

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VERDICT FORM "A"

We, the jury, find for the Defendant, TownePlace Suites by Marriott Fort Wayne North, and against the Plaintiff, Anastasia Blanchard.

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 FOREPERSON (Use Juror Number))

DATED: 8/16/24