

COURT COPY
PLEASE WRITE VERDICT
ON THIS COPY

May 24, 2024

COMMONWEALTH OF KENTUCKY
WARREN CIRCUIT COURT, DIVISION NO. 2
CIVIL ACTION NO. 21-CI-01290

SUMMER D. DWYER

PLAINTIFF

V.

INSTRUCTIONS TO JURY

STATE FARM MUTUAL AUTOMOBILE
INSURANCE COMPANY

DEFENDANT

INSTRUCTION NO. 1

Immediately upon retiring to the jury room, you will elect a foreperson. Any juror may serve as a foreperson if elected by his or her fellow jurors.


Nine or more of you must agree in order to make any of the determinations required by these instructions. If all twelve of you agree on the answers to all determinations to which you are required to respond, the foreperson alone can sign for you. If your response is not unanimous, it must be signed by the nine or more of you who agree to it.

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**INSTRUCTION NO. 2
AND VERDICT**

The Court instructs the jury that the automobile accident, about which you have heard evidence, was solely the fault of Casey J. Wethington. Therefore, you will now determine from the evidence and award to the plaintiff, Summer D. Dwyer, a sum or sums of money that will fairly and reasonably compensate her for such of the following damages that you believe from the evidence she has incurred, or is reasonably certain to incur in the future, as a direct result of the accident on November 1, 2019. If you determine that Summer D. Dwyer is entitled to recover damages for her injuries, your award shall include compensation for losses attributable or related to her pre-existing physical or mental condition, but only if, and to the extent that, such pre-existing condition was aroused or aggravated by the accident in question:

Past Medical Expenses (not to exceed \$103,145.71)	\$ <u>103,145.71</u>
Lost Income (not to exceed \$32,148)	\$ <u>15,000</u>
Mental and physical pain and suffering she has endured in the past (not to exceed \$500,000)	\$ <u>250,000</u>
Mental and physical pain and suffering she is likely to endure in the future (not to exceed \$500,000)	\$ <u>500,000</u>
TOTAL	\$ <u>868,145.71</u> (not to exceed \$1,135,293.70)



FOREPERSON (if unanimous)

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OR (if not unanimous):

**YOUR DELIBERATIONS ARE COMPLETE.
PLEASE RETURN TO THE COURTROOM.**