

D-1

The Court charges the jury that you may not return a
verdict in favor of the Plaintiff and against the
Defendant, Southern Pine Electric Cooperative, Inc.

Refused,
Jefan J. Masleburn
Judge

D-2

The Court charges the jury that if you believe the evidence in this case, you cannot find for Plaintiff and against the Defendant, Southern Pine Electric Cooperative, Inc.

Refused
J. J. Masterson
Judge

D-13

The Court charges the jury that you cannot award the plaintiff any damages for his claim that he was made sick, sore and lame.

*Refused,
Jefery, Masleburn
Judge*

D-14

The Court charges the jury that you cannot award the plaintiff any damages for his claim that he will suffer physical pain and mental anguish in the future.

Refused
Jeffrey J. Marshall
Judge

D-15

The Court charges the jury that you cannot award the plaintiff any damages for his claim that he was permanently injured.

Refused,
Jeffery Maslowski
Judge.

D-16

The Court charges the jury that you cannot award the plaintiff any damages for his claim that he was scarred and disfigured.

*Refused,
Jeffery J. Marshall
Judge.*

D-17

The Court charges the jury that you cannot award the plaintiff any damages for his claim that he lost time from his employment.

Refused
Seafair J. Maslowski
Judge

D-18

The Court charges the jury that you cannot award the plaintiff any damages for his claim that he was caused to spend money for doctor bills and other medical expenses.

*Refused,
Jeffery M. Maslowski
Judge.*

D-19

The Court charges the jury that where the evidence shows that any one of several things may have brought about the plaintiff's injuries and damages, for some of which the defendants are responsible and for some of which the defendants are not responsible, then the jury cannot return a verdict in favor of the plaintiff against the defendants.

*Refused,
Sefairg. Marshall
judge.*

The Court charges the jury that if you are reasonably satisfied from the evidence in this case that both of the defendants were guilty of negligence, and if you are further reasonably satisfied that plaintiff is entitled to recover against Southern Pine Electric Cooperative, Inc., then in determining any amount due to plaintiff from Southern Pine Electric Cooperative, Inc., you must give credit to and allow the sum that has already been paid to plaintiff and you must also allow that one defendant is eliminated.

~~Given~~ Refused
Seafair J. Washburn
Judge

D-21

Should you decide that plaintiff is entitled to recover in this suit from Southern Pine Electric Cooperative, Inc., and if you are reasonably satisfied that plaintiff has received a payment from Southland Mower Company, Inc. in settlement of his claims against Southland Mower Company, Inc. for the injuries and damages made the basis of this suit, then the Court charges the jury that when you reach the full amount of your verdict, you must give credit and reduce that verdict in the amount of the payment already received by plaintiff.

~~Refused~~
J. J. Marshall
Judge.

D-4

The Court charges the jury that if any one of you is not reasonably satisfied from the evidence that the piece of wire which injured Plaintiff had been left at the scene of this accident by an agent, servant or employee of Southern Pine Electric Cooperative, Inc., then and there acting within the line and scope of his employment, then you cannot return a verdict against Defendant, Southern Pine Electric Cooperative, Inc.

Sween
Sufair J. Mathis
Judge

D-5

The Court charges the jury that if any one of you is reasonably satisfied from the evidence that the piece of wire which injured the Plaintiff was left at the scene of this accident by someone other than an employee, agent or servant of Southern Pine Electric Cooperative, Inc., then and there acting within the line of his employment, then you cannot return a verdict against Southern Pine Electric Cooperative, Inc.

Dusen
Seaford J. Marshall
Judge

D-6

Ladies and gentlemen of the jury I charge you that if you are reasonably satisfied from the evidence that Plaintiff was guilty of negligence in failing to keep a proper look out for foreign objects in the path of his lawn mower at the time and place of this accident, and if you are further reasonably satisfied that such negligence was the sole proximate cause of Plaintiff's injuries and damages, then you cannot return a verdict against Defendant, Southern Pine Electric Cooperative, Inc.

Given
J. J. Madalena
Judge

D-8

I charge you ladies and gentlemen of the jury that if you are reasonably satisfied from the evidence in this case that at the time and place complained of John T. Cumbie was guilty of negligence which was the sole proximate cause of his injuries and damages, then you cannot return a verdict against Defendant, Southern Pine Electric Cooperative, Inc.

Given
Jefair J. Marshall
Judge

D-9

I charge you ladies and gentlemen of the jury that if you are reasonably satisfied from the evidence that John T. Cumbie was guilty of any negligence which proximately contributed to his own injuries and damages, even in the slightest degree, then you cannot return a verdict against Defendant, Southern Pine Electric Cooperative, Inc.

Signed
Seifert J. Marble
Judge

D-10

I charge you ladies and gentlemen of the jury that if after considering all of the evidence in this case the mind of any one or more of the jury is not reasonably satisfied that John T. Cumbie is entitled to recover, then you cannot return a verdict against Defendant, Southern Pine Electric Cooperative, Inc.

Given
Sefair Mableburn
Judge

D-11

I charge you members of the jury that if you are reasonably satisfied from the evidence that in working in the vicinity where this accident occurred that the employees, agents and servants of Southern Pine Electric Cooperative, Inc. did what an ordinary prudent person would have done under similar circumstances, then you cannot find in favor of Plaintiff and against Defendant, Southern Pine Electric Cooperative, Inc.

Given,
Sefer J. Marbleburn
Judge

D-12

The Court charges the jury that if you are reasonably satisfied from the evidence in this case that the Plaintiff's injuries and damages were the proximate result of a mere accident, then you cannot return a verdict against the Defendant, Southern Pine Electric Cooperative, Inc.

Given
Jeffrey J. Maduburn
Judge

D-3

The Court charges the jury that the burden of proof is on the Plaintiff in this case to reasonably satisfy your mind from the evidence of the truth of the material allegations of Plaintiff's Complaint, and I charge you that unless the Plaintiff has met the burden you cannot return a verdict in favor of the Plaintiff.

Given
Jeffery M. Matheson
Judge

D-7

The Court charges the jury that if you are reasonably satisfied from the evidence that at the time of this accident Plaintiff was operating a lawn mower which was defective in that it did not have adequate guards to protect the lawn mower operator from injury by rocks or other debris cast out by the rotating blades of the lawn mower, and if you are further reasonably satisfied that Plaintiff's injuries and damages were the sole proximate result of this defect, then you cannot return a verdict against Defendant, Southern Pine Electric Cooperative, Inc.

Given,
Jeffrey J. Madala
Judge