

Refused
Jeffery M. Madsen
Judge

1.

I charge you, gentlemen of the jury, that the Plaintiff in this action has the burden of proof of the material allegations of her complaint and if you are not reasonably satisfied from the evidence in this case that the Plaintiff has met the burden of proving all material allegations of her complaint, then you must not find for the Plaintiff.

Def't

2.

*Given,
Jasper A. Madala
Jury*

I charge you, gentlemen of the jury, that this is an action for breach of contract and in Alabama, the general rule is that if the Plaintiff shall reasonably satisfy you of her right to recover damages for breach of the contract sued upon, then she can recover only for such damages as are the proximate or reasonably anticipated consequences of the breach of such contract and she may not recover any damages which she could have prevented by her own prudent and reasonable efforts after knowledge of the breach of such contract by the Defendant.

1. P.

IF YOU THE JURY ARE REASONABLY SATISFIED FROM THE
EVIDENCE THAT THE DEFENDANT DID NOT PERFORM THE CONTRACT
BETWEEN THE PARTIES IN AN APPROVED MANNER FOR STANDARDS OF
FIRST CLASS WORKMANSHIP, YOU MUST FIND A VERDICT FOR THE
PLAINTIFF.

Refused
Jeffrey J. Wadsworth
Judge

2. P.

THE COURT CHARGES YOU, GENTLEMEN OF THE JURY, THAT IF YOU ARE REASONABLY SATISFIED FROM THE EVIDENCE THAT THE PLAINTIFF'S ROOF LEAKS AS A RESULT OF THE DEFENDANT'S UNWORKMANLIKE MANNER IN BUILDING THE ROOF YOU MUST FIND FOR THE PLAINTIFF, AND ASSESS THE AMOUNT OF DAMAGES SUFFERED BY THE PLAINTIFF AS A RESULT THEREOF.

John J. McGowan

3.P.

IF THE JURY BELIEVE FROM THE EVIDENCE THAT THERE WAS A
BREACH OF WARRANTY ON THE PART OF THE DEFENDANT, YOU MUST
FIND A VERDICT FOR THE PLAINTIFF.

Given
Stephen J. Middlebury
Judge.

4. P.

YOU MUST FIND A VERDICT FOR THE PLAINTIFF, IF YOU ARE
REASONABLY SATISFIED FROM THE EVIDENCE THAT THE PLAINTIFF
HAS SUFFERED DAMAGES AS A RESULT OF THE DEFENDANT'S FAILURE
TO PERFORM THE WORK ACCORDING TO THE REQUIREMENTS OF THE
WRITTEN CONTRACT BETWEEN THE PARTIES.

Refused
Jefan J. Marshall
Judge

S. P.

Sigee
Jasper G. Marshall
Judge

THE COURT CHARGES YOU, GENTLEMEN OF THE JURY, THAT IF
YOU ARE REASONABLY SATISFIED FROM THE EVIDENCE THAT THE
PLAINTIFF'S ROOF WAS PUT ON IN AN UNWORKMANLIKE MANNER, YOU
MUST FIND A VERDICT FOR THE PLAINTIFF.