



Verdict Form

As a group use the jury instructions to help you deliberate and decide on the outcome of the case. You and your group of fellow jurors must reach a unanimous decision.

We, the jury, find as follows:

1. Has the plaintiff proven that there was a contract between Bayer and Cellar?

_____ Yes _____ No

(If your answer is Yes, proceed to Question 2. If your answer is No, your deliberations are concluded.)

2. Has the plaintiff proven that the plaintiff performed its obligations under the contract (or is excused from performance)?

_____ Yes _____ No

(If your answer is Yes, proceed to Question 3. If your answer is No, your deliberations are concluded.)

3. Has the plaintiff proven that Cellar breached that contract?

_____ Yes _____ No

(If your answer is Yes, proceed to Question 4. If your answer is No, your deliberations are concluded.)

4. Was the defendant's performance under the contract excused due to frustration of purpose? (In order to find that it was, you must find that (a) the purpose of the contract was frustrated by circumstances that were not known when the contract was formed, (b) the defendant did not have reason to know of those circumstances, and (c) the circumstances were not the fault of the defendant.)

_____ Yes _____ No

(If your answer is No, proceed to Question 5. If your answer is Yes, your deliberations are concluded.)

5. Has the plaintiff proven that Cellar's breach of the contract caused harm to the plaintiff?

_____ Yes _____ No

(If your answer is Yes, proceed to Question 6. If your answer is No, your deliberations are concluded.)

6. What amount of money would fairly compensate the plaintiff for the harm caused by the defendant? As the jury, you'll need to decide both what Bayer should be compensated for, if anything, and the amounts. Check and fill in the amounts for what you think is fair and then tally the total below.

- \$700 to cover the additional cost of the car Bayer purchased
- \$500 to cover Bayer's brake repair
- \$ _____ to compensate Bayer for time missed from class
- \$ _____ to pay for cost of additional gas Bayer will have to buy over the life of the car

\$ _____ (number) _____ (words)