

**IN THE CIRCUIT COURT OF HARRISON COUNTY, MISSISSIPPI  
SECOND JUDICIAL DISTRICT**

JIM SPIERS and TONYA SPIERS, )  
 )  
 Plaintiffs, )  
 )  
 v. )  
 )  
 THE TERMINIX INTERNATIONAL )  
 COMPANY, LP. )  
 )  
 Defendant. )

Civil Action No. A2402-14-194

**JURY INSTRUCTION NO. \_\_\_\_\_  
SPECIAL VERDICT FORM**

The Court instructs the Jury that in any lawsuit allegedly based on fault of one or more Defendants, the liability for damages shall be assessed by the Jury proportionately among the persons responsible for proximately causing the incident. In other words, you, the Jury, must determine percentages of fault, if any, among all persons involved. In this case, you may find that the damages of the Plaintiffs, if any, were caused by the fault of one of more of the persons, including the Plaintiffs. These persons or parties are the Plaintiffs and Defendant. You may find that the damages of the Plaintiffs were caused by only one of these parties; however, you may find that Plaintiffs damages, if any, were caused by the fault of more than one party. Under these circumstances, you must determine how to assess proportion of fault, if any, among the Parties. In order to do so you must complete the following questionnaire to assess responsibility for the damages:

1. Do you find from a preponderance of the evidence that Jim Spiers and Tonya Spiers caused or contributed to their damages?

✓ Yes \_\_\_\_\_ No

2. If so, then state the percentage of fault you attribute to Jim Spiers and Tonya Spiers. 10 %.

If you answered Question 2 by assigning 100% of the fault to Jim Spiers and Tonya Spiers, you need not answer any of the following questions.

3. Do you find from a preponderance of the evidence that the Defendant The Terminix International, LP, proximately caused or contributed to the Plaintiffs damages?

✓ Yes \_\_\_\_\_ No

4. If you answered yes to Question 4 then state the percentage of fault you attribute to the Defendant Terminix International, LP. 90 %

Your answers to Question 2 and 4 should total 100%.

5. What is the total amount of actual damages, unreduced by a percentage of faults, if any, you find and determine from the other damage instructions given by the Court?

\$ 1,600,000

The Foreman of the jury should sign this verdict form and return it to the Court.

*David R. Evans*

**FILED**

at 10:12 - A .M.

DEC 13 2018

CONNIE LARNER, CIRCUIT CLERK  
By [Signature] D.C.

DT-10<sup>B</sup> page 2