

IN THE IOWA DISTRICT COURT FOR DELAWARE COUNTY

DEBORAH FERGUSON,  Plaintiff,  vs.  EXIDE TECHNOLOGIES, INC., FRED GILBERT, and BRENDA SAUNDERS,  Defendants.	Case No. LACV008271   <b>PLAINTIFF'S SUPPLEMENTAL PROPOSED JURY INSTRUCTIONS</b>
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**COMES NOW** Plaintiff Deborah Ferguson, and requests that the jury be instructed as set forth in these Supplemental Instructions.

/s/ Amy Beck  
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**PLAINTIFF'S PROPOSED FINAL JURY INSTRUCTION NO. 13**

**Disabilities Arising During Employment**

When an individual becomes disabled, from whatever cause, during a term of employment, the employer shall make every reasonable effort to continue the individual in the same position or to retain and reassign the employee and to assist that individual's rehabilitation.

**Authority**

161 IOWA ADMIN. CODE § 8.28

*John Vetter v. State of Iowa et al.*, LACL130693 (Polk County 2015) – Judge Robert B. Hanson

*Luann Huss v. State of Iowa et al.*, LACL131212 (Polk County 2016) – Judge Jeffrey Farrell

*Gregory Hawkins v. Grinnell Regional Medical Center, et al.*, LALA002281 (Poweshiek County 2017) – Judge Randy DeGeest

**PLAINTIFF'S PROPOSED FINAL JURY INSTRUCTION NO. 14**

**Plaintiff's Previous Condition**

If Plaintiff had health conditions before these incidents, making her more susceptible to injury than a person in normal health, then the Defendants are responsible for all injuries and damages which are experienced by Plaintiff that are caused by Defendants' actions, even though the injuries claimed produce a greater injury than those which might have been experienced by a normal person under the same circumstances.

**Authority**

Iowa Civil Jury Instruction 200.34