

IN THE IOWA DISTRICT COURT IN AND FOR JACKSON COUNTY

SHELDON WOODHURST and)	
CARLA WOODHURST,)	
)	
Plaintiffs,)	Case No. LACV 027199
vs.)	
)	PLAINTIFFS' PROPOSED
DAVID ZABRANSKY,)	JURY INSTRUCTIONS
)	
Defendant.)	

COMES NOW Sheldon Woodhurst and Carla Woodhurst, Plaintiffs, by Pillers and Richmond, their attorneys, and in support of Plaintiffs' Proposed Jury Instructions, submit the following.

PILLERS & RICHMOND

By: /s/ David M. Pillers
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ATTORNEYS FOR PLAINTIFFS

CERTIFICATE OF SERVICE

I hereby certify that on the 18th day of December, 2015, I filed the foregoing with the Clerk of Court using the electronic filing system which will send notifications of such filing to all counsel of record.

/s/ David M. Pillers

STATEMENT OF THE CASE

Between the evening of November 21, 2009 and the early morning of November 22, 2009, Zabransky patronized the businesses of Driftwood Bar & Grill (Driftwood) and Lucky 7. During that time, Zabransky was sold, given or served alcoholic beverages or beer by agents, representative, or employees of Driftwood and Lucky 7.

On November 22, 2009 at approximately 1:30 a.m., Zabransky committed an assault and battery on the plaintiff, Sheldon Woodhurst, by shooting Sheldon in the abdomen at close range with a shotgun.

Plaintiff, Sheldon Woodhurst, alleges that Zabransky did commit an assault and battery on him while intoxicated.

As a proximate result of Defendant's negligence, Plaintiff Sheldon Woodhurst alleges that he suffered serious, painful and permanent injuries, disability and disfigurement.

Plaintiff, Carla Woodhurst, alleges that due to the resulting injuries to her husband, Sheldon Woodhurst, she has been deprived of the companionship, aid, services, affection and society of her husband.

Defendant denies negligence and denies that his actions were responsible for any damages to Plaintiffs and further denies that Plaintiffs were injured or damaged to the extent claimed.

Sheldon Woodhurst and Carla Woodhurst

vs.

David Zabransky

Jackson County Case # LACV 027199

PLAINTIFFS' PROPOSED JURY INSTRUCTIONS

	IA Civil Jury Instruction No.	Given	Refused	Withdrawn
1.	100.1			
2.	100.2			
3.	100.3			
4.	100.4			
5.	100.5			
6.	100.6			
7.	100.7			
8.	100.9			
9.	100.11			
10.	100.12			
11.	100.13			
12.	100.18			
13.	100.19			
14.	100.21			
15.	200.1			
16.	200.6			
17.	200.7			
18.	200.8			
19.	200.9			
20.	200.10			
21.	200.11			
22.	200.11B			
23.	200.12			
24.	200.13A			
25.	200.13B			
26.	200.35A			
27.	210.1			
28.	210.2			
29.	210.4			
30.	300.1			

31.	700.1			
32.	700.2			
33.	700.3			
34.	700.4			
35.	700.7			