

IN THE IOWA DISTRICT COURT FOR WOODBURY COUNTY

BRIAN WELLE,  Plaintiff,  vs.  RICHARD RIEMER,  Defendant.	NO. LACV157387  VERDICT  IN ERK OF DISTRICT COURT BY _____ 15 FEB 19 P2:14 FILED
RICHARD RIEMER,  Third-Party Plaintiff,  vs.  BRENT WALDMAN,  Third-Party Defendant.	

We, the jury, find the following Special Verdict on the questions submitted to us:

**TRESPASS**

**Question No. 1:** Has the plaintiff proven Richard Riemer committed a trespass as set forth in these instructions?

☒ Yes ☐ No

If your answer is "yes," then answer Question No. 2. If your answer is "no," then proceed to answer Question No. 3.

**Question No. 2:** Was the trespass of Richard Riemer a cause of any item of damage to the plaintiff?

☒ Yes ☐ No

**Question No. 3:** Did Defendant Richard Riemer and Third-Party Defendant Brent Waldman act in concert in trespassing on land owned by Plaintiff Brian Welle?

☒ Yes ☐ No

If your answer is "yes," then answer Question No. 4. If your answer is "no," then proceed to answer the questions under "negligence" below.

**Question No. 4:** Was the trespass by Defendant Richard Riemer and Third-Party Defendant Brent Waldman, acting in concert, a cause of any item of damage to Plaintiff Brian Welle?

☒ Yes      ☐ No

(If your answer to Questions No. 1 and 4 is no, do not award any damages for Trespass. If your Answer to Questions No. 1 and 2 or Questions 3 and 4 were yes, answer Questions No. 7 and 8 below.)

### **NEGLIGENCE**

**Question No. 1:** Was Defendant Richard Reimer at fault?

☐ Yes      ☐ No

If your answer is "No," skip Question No. 2 and assign no fault to Richard Riemer in Question No. 7.

**Question No. 2:** Was the fault of Defendant Richard Reimer a cause of any damage to Brian Welle?

☐ Yes      ☐ No

If your answer is "No," assign no fault to Richard Riemer in Question No. 7.

**Question No. 3:** Was Brent Waldman at fault?

☐ Yes      ☐ No

If your answer is "no," skip Question No. 4 and assign no fault to Brent Waldman in Question No. 7.

**Question No. 4:** Was the fault of Brent Waldman a cause of Brian Welle's damages?

☐ Yes      ☐ No

If your answer to is "no," then you shall not assign any fault to Brent Waldman in Question No. 7.

**Question No. 5:** Was Plaintiff Brian Welle at fault?

☐ Yes      ☐ No

If your answer is "No," then skip Question No. 6 and assign no fault to Brian Welle in Question No. 7.

**Question No. 6:** Was Brian Welle's fault a cause of Brian Welle's damages?

☐ Yes      ☐ No

If your answer is "No," assign no fault to Brian Welle in Question No. 7.

**Question No. 7:** What percentage of the total fault do you attribute to Brian Welle and what percentage of the total fault do you attribute to Brent Waldman and/or Richard Reimer? The percentages must total 100%.

If you have previously found that a party was not at fault, or did not cause damage to Brian Welle, then enter "0" after his or its name.

Brian Welle

45 %

Richard Riemer

15 %

Brent Waldman

40 %

**TOTAL:**

100%

If you found Brian Welle to be more than 50% at fault, do not answer Question No. 8.

### DAMAGES

**Question No. 8:** State the amount of damages sustained by Brian Welle for each of the following items of damage. Do not take into consideration any reduction of damage due to Plaintiff Brian Welle's fault. If Plaintiff has failed to prove any item of damage, enter 0 for that item.

1. Past medical expenses

\$ 56,670.90

2. Physical and mental pain and suffering in the past

\$ 1,500.00

3. Loss of full body in the past

\$ 0

4. Lost Wages

\$ 6,573.40

Total Damages

\$ 46,944.30

Li. Schreiner

Foreperson\*

\*To be signed only if verdict is unanimous. If verdict is not unanimous, use the form on the following page.

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Juror\*\*

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Juror\*\*

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Juror\*\*

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Juror\*\*

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Juror\*\*

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Juror\*\*

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Juror\*\*

\*\*To be signed by the jurors agreeing thereto after six (6) hours or more of deliberation.