

PJC 115.3 **Question on Contract Damages**

[Insert predicate, PJC 115.1.]

QUESTION _____

What sum of money, if any, if paid now in cash, would fairly and reasonably compensate *Paul Payne* for *his* damages, if any, that resulted from such failure to comply?

Consider the following elements of damages, if any, and none other.

[Insert appropriate instructions. See samples in PJC 115.4 and instructions in PJC 115.5.]

Do not add any amount for interest on damages, if any.

Answer separately in dollars and cents for damages, if any.

1. *[Element A]* sustained in the past.

Answer: _____

2. *[Element A]* that, in reasonable probability, will be sustained in the future.

Answer: _____

3. *[Element B]* sustained in the past.

Answer: _____

4. *[Element B]* that, in reasonable probability, will be sustained in the future.

Answer: _____

COMMENT

When to use. PJC 115.3 should be predicated on a “Yes” answer to PJC 101.2 and may be adapted for use in most breach-of-contract cases by the addition of appropriate instructions setting out legally available measures of damages. See PJC 115.4 and 115.5. If only one measure of damages is supported by the pleadings and proof, the measure may be incorporated into the question.