



**PATTERN JURY INSTRUCTIONS
SECTION 2: NEGLIGENCE (FLORIDA'S 17th CIRCUIT COURT)
[ALL-IN-ONE DOCUMENT]**

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PATTERN JURY INSTRUCTIONS
FLORIDA
SEVENTEENTH JUDICIAL CIRCUIT

SECTION: 2 NEGLIGENCE

ITEMS: 2 PJI 0 through 2 PJI 4



2 PJI 0 | NEGLIGENCE

Negligence is the failure to use reasonable care. Reasonable care is that degree of care which a reasonably careful person would use under like circumstances. Negligence may consist either in doing something that a reasonably careful person would not do under like circumstances or in failing to do something that a reasonably careful person would do under like circumstances.

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2 PJI 1 | CAUSE AND FORESEEABILITY

A person is liable for negligence only if the injuries to another were a reasonably foreseeable consequence of the negligence. In the context of legal cause, "foreseeability" means that a reasonable person would expect that a dangerous condition created by a person would likely lead to some injury. An injury may be reasonably foreseeable even though a person could not have known the exact series of event that would lead to the injury. A cause is foreseeable if the injury results in an ordinary, natural, and logical sequence from the negligent conduct.

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2 PJI 2 | LEGAL CAUSE

Negligence is a legal cause of injury if it directly and in natural and continuous sequence, produces or contributes substantially to producing such injury so that it can reasonably be said that, but for the negligence, the injury would not have occurred.

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2 PJI 3 | ISSUES ON PLAINTIFF'S CLAIM - NEGLIGENT MISREPRESENTATION

The next issue for you to decide on Plaintiff's claim for negligent misrepresentation are:

First, whether Defendant made a statement concerning a material fact that it believed to be true but which was in fact false;

Second, whether Defendant was negligent in making the statement because it should have known the statement was false;

Third, whether in making the statement, Defendant intended or expected that Plaintiff would rely on the statement;

Fourth, whether Plaintiff justifiably relied on the false statement; and, if so,

Fifth, whether the false statement was a legal cause of loss damage to Plaintiff.

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2 PJI 4 | LEGAL CAUSE

a. Legal cause generally:

Misrepresentation of a material fact is a legal cause of loss or damage if it directly and in natural and continuous sequence produces or contributes substantially to producing such loss injury or damage, so that it can reasonably be said that, but for the misrepresentation, the loss or damage would not have occurred.

b. Concurring cause:

In order to be regarded as a legal cause of loss or damage misrepresentation of a material fact need not be the only cause. Misrepresentation of a material fact may be a legal cause of loss injury or damage even though it operates in combination with some other cause if the misrepresentation contributes substantially to producing such loss or damage.

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APPENDIX



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