

125 COUNSEL'S REFERENCE TO INSURANCE COMPANY

You have heard references to an insurance company. The title to this case includes an insurance company. However, the special verdict does not contain a question about insurance. This is because there is no dispute concerning insurance. Whether (defendant) is liable for damages is the same, whether or not (defendant) is insured. Under your oath as jurors, you are bound to be impartial toward all parties. You should answer the questions in the verdict the way you would if there was no insurance company in the case.

COMMENT

The instruction was originally published in 1960 and revised in 1991, 2005, and 2010. The comment was updated in 1980. The comment was reviewed without change in 1989 and 2005.

Nimmer v. Purtell, 69 Wis.2d 21, 230 N.W.2d 258 (1975).