

**155 QUESTION ANSWERED BY THE COURT**

I have answered question No. \_\_\_\_ because (there is no dispute as to the answer) (the attorneys have agreed to the answer.) My answer does not have any bearing on the answer to any other question on the verdict.

**COMMENT**

This instruction was approved by the Committee in 1972. The instruction was revised in 1985 and 2010.

The supreme court advises giving this instruction. Reyes v. Lawry, 33 Wis.2d 112, 146 N.W.2d 510 (1966). Failure to give it may not, however, be error. Reyes, supra; Schmit v. Sekach, 29 Wis.2d 281, 291, 139 N.W.2d 88 (1966).

Approved in Crowder v. Milwaukee & Suburban Transp. Corp., 34 Wis.2d 499, 508-09, 159 N.W.2d 723 (1968).

Only affirmative, not negative, answers by the court as to negligence should be included in the special verdict. Neuman v. Evans, 272 Wis. 579, 76 N.W.2d 322 (1956).