

**1715 AGGRAVATION OF PRE-EXISTING INJURY**

The evidence shows that the plaintiff was previously injured when (briefly describe event). If the injuries of the plaintiff received in the accident on (date) aggravated any physical condition resulting from the earlier injury, you should allow fair and reasonable compensation for such aggravation but only to the extent that you find the aggravation to be a natural result of the injuries received in the accident.

**COMMENT**

This instruction and comment were revised in 1983. The comment was reviewed without change in 1990.

Kablitz v. Hoeft, 25 Wis.2d 518, 523-25, 131 N.W.2d 346 (1964); Egan v. Travelers Ins. Co., 223 Wis. 129, 132, 269 N.W. 667 (1936). See also Lautenschlager v. Hamburg, 41 Wis.2d 623, 632-34, 165 N.W.2d 129 (1969); 22 Am. Jur. 2d Damages §§ 122 and 124.

The applicable principle is the same as that which controls when there is aggravation of an existing ailment that is more than a mere latent tendency. "The recovery includes no damages for injuries which result from the original condition but are confined to those which are due to its enhancement or aggravation." 22 Am. Jur. 2d Damages §§ 122 and 124 (1965).