

2810 CONSPIRACY: OVERT ACTS

Question ___ asks whether any of those parties you may have found entered into an unlawful conspiracy (to deprive the plaintiff of business) performed any act to carry out the unlawful conspiracy.

You will answer this question only if you have found both [two or more] of the parties named in the previous question entered into an unlawful conspiracy (to deprive plaintiff of business [or other claimed unlawful deprivation]).

You will answer this question only if you are satisfied by evidence which is clear, satisfactory, and convincing, to a reasonable certainty, that any of the following acts were performed by any of the parties named in the question in furtherance or for the purpose of carrying out the conspiracy.

(List the overt acts which the evidence requires.)

COMMENT

This instruction and comment were approved in 1980. The instruction was revised in 1991. This instruction was revised in 2002 to conform the language regarding the burden of proof to the Committee's 2002 revisions to Wis. JI-Civil 200 and 205, the instructions on the civil burdens of proof. See Wis. JI-Civil 200, Comment.