

IN THE IOWA DISTRICT COURT FOR DELAWARE COUNTY

SANDRA K. MORMANN, individually and)	Law No. LACV 8847
as Administrator of the Estate of)	
AUGUSTIN G. MORMANN, and DANIEL)	
J. MORMANN, individually,)	
)	
Plaintiffs,)	SUPPLEMENTAL
)	JURY INSTRUCTIONS
vs.)	
)	
CITY OF MANCHESTER, IOWA, and)	
JAMES LOUIS WESSELS,)	
)	
Defendants.)	

INSTRUCTION NO. 1

Punitive damages may be awarded if the plaintiff has proven by a preponderance of clear, convincing, and satisfactory evidence that the conduct of Lt. Wessels was willful, wanton, and reckless by intentionally doing an act of an unreasonable character in disregard of a known or obvious risk that was so great as to make it highly probable that harm would follow, and which thus is usually accompanied by a conscious indifference to the consequences.

Punitive damages are not intended to compensate for injury but are allowed to punish and discourage the defendant and others from like conduct in the future. You may award punitive damages only if the defendant's conduct warrants a penalty in addition to the amount you award to compensate for plaintiff's actual injuries.

There is no exact rule to determine the amount of punitive damages, if any, you should award. You may consider the following factors:

1. The nature of defendant's conduct that harmed the plaintiff.
2. The amount of punitive damages which will punish and discourage like conduct by the defendant. You may consider the defendant's financial condition or ability to pay. You may not, however, award punitive damages solely because of the defendant's wealth or ability to pay.
3. The plaintiff's actual damages. The amount awarded for punitive damages must be reasonably related to the amount of actual damages you award to the plaintiff.
4. The existence and frequency of prior similar conduct.

INSTRUCTION NO. 2

Evidence is clear, convincing, and satisfactory if there is no serious or substantial uncertainty about the conclusion to be drawn from it.

INSTRUCTION NO. 3

Any punitive damages awarded would be a judgment against Lt. Wessels in his individual capacity, and not against the City of Manchester.



State of Iowa Courts

Case Number
LACV008847

Case Title
SANDRA MORMANN ET AL VS CITY OF MANCHESTER ET
AL
Type: JURY INSTRUCTIONS

So Ordered

A handwritten signature in black ink, appearing to read "Tom Bitter", written over a horizontal line.

Thomas A. Bitter, District Court Judge,
First Judicial District of Iowa

Electronically signed on 2024-03-22 14:52:34