### IDJI 6.10.1 – Breach of bilateral contract – general case – no affirmative defenses

INSTRUCTION NO. \_\_\_

The plaintiff has the burden of proving each of the following propositions:

1. A contract existed between plaintiff and defendant;

2. The defendant breached the contract;

3. The plaintiff has been damaged on account of the breach; and

4. The amount of the damages.

If you find from your consideration of all the evidence that each of the propositions required of the plaintiff has been proved, then you must consider the issue of the affirmative defenses raised by the defendant, and explained in the next instruction. If you find from your consideration of all the evidence that any of the propositions in this instruction has not been proved, your verdict should be for the defendant.