

Plaintiff and Defendant Element Example

Your name Plaintiff

Vocabulary Word and Definition

1. Duty-My neighbor, Tiger Woods, had the duty to refrain from harming my property. He lives at 123 Main Street and I live at 124 Main Street. Indianapolis, IN
2. Breach/violation-On March 20th at about 4 p.m. I was in my home when I heard a loud crash. I walked into my living room and found the glass was broken on my patio door. I saw a golf ball on the floor and Tiger was running back to his house in the yard. I grabbed my cell phone and took a picture of him and of the damage. A **reasonable person** would **foresee** that hitting a golf ball in a neighborhood could result in broken windows. They would also let the neighbor know and offer to pay for the damage.
3. Causation-My photo clearly shows Tiger running with a golf club in his hand. My photo has the date and time on it. My neighbor on the other side was in her yard and she witnessed the entire incident. She will testify in court.
4. Injury-My patio door was replaced at a cost of \$1,500 and I have a receipt to prove that. I hired a cleaning company and the bill was \$500. I also needed to replace my carpet at a cost of \$2,000.

Your name Defendant

Vocabulary word and Definition

1. Duty-I had the duty not to harm my neighbor's property. **Addresses of both people needed.**
2. Breach-On March 20th at about 4 p.m. I was not even at home. I was at the movie theater. My neighbor says I hit a golf ball but it could not have been me.
3. Causation-My proof is a ticket stub from the movie theater. (A judge would say this could be anyone's ticket stub and is not proof to dispute causation. However, it is enough to get the grade for proof of causation.)
4. Injury-I wasn't responsible and I don't feel I should pay for the damage.