

Civil Jury Instructions Committee
State Bar of Arizona
4201 N. 24th Street, Suite 100
Phoenix, Arizona 85016

October 12, 2022
3:00 pm
Virtual Meeting

Minutes

MEMBER ATTENDANCE:

P = present in person; V = present virtually; A= absent.

Lincoln Combs	A	Robert Greer	V
Ben Cooper	V	Steven Kramer	V
Alicia Funkhouser	V	Richard Langerman	V
Justin Ackerman	V	PJ Lopez (Chair)	V
Dominic Gomez	V	Hon. Scott McCoy	A
Darlene Gonzalez	A	Nathan Meyer	A
Amy Heiserman	A	Douglas Imperi	V
Jack Klecan	V	Daniel Torrens	A

OTHER ATTENDEES: None

State Bar Staff: Ilona Kukan

Minutes taken by: Richard Langerman

CALL TO ORDER – PJ Lopez

Time: The meeting was called to order by Chair, PJ Lopez, at 3:05.

Minutes: The minutes of the September 14 meeting were unanimously approved.

Privacy Subcommittee: Subcommittee chair, Richard Langerman, reported on the work of the subcommittee as outlined in the September 26, 2022 Report from the subcommittee. A discussion was held on the issues identified in the report: (1) the measure of commercial damages recoverable in misappropriation cases, (2) whether additional consequential damages are recoverable in misappropriation cases, and (3) whether damages for personal harms are recoverable in misappropriation cases. Several members requested additional time before deciding these issues. Richard indicated that the subcommittee would provide additional information on the three issues.

Guidelines Subcommittee: Subcommittee chair, Richard Langerman, reported on the work of the subcommittee. A discussion was held regarding the proposed guideline 3 (The RAJI Instructions should be based on Arizona precedent.) No votes were taken.

Punitive Damages Subcommittee: The subcommittee agreed on a date for their first meeting.

Other Business: Chair Lopez reported on his contacts with Superior Court judges. Chair Lopez indicated that he had received some criticism of the open and obvious premises liability instructions. A subcommittee was appointed to review the instruction. The subcommittee will be chaired by Steve Kramer. Alicia Funkhouser, Robert Greer, Dominic Gomez, and PJ Lopez were appointed as members of the subcommittee.

Call to the Public: Chair Lopez made a call to the public.

The meeting was adjourned at 4:47.