**03.17 FAULT OF ABSENT PARTIES**

You must make decisions regarding the fault of some [persons who] [entities that] are [not] [no longer] parties in this case. Do not speculate about the reasons that these [persons] [entities] are [not] [no longer] parties. You must make your decisions regarding the fault of these [persons] [entities] based on the evidence, and by following the court's instructions.

# Directions for Use

This instruction should be used whenever the jury may be required to apportion fault to a person or entity that is not present at trial.

## Comment

*See* AS 09.17.080.