

**Damages - Compensatory**

If you find a Defendant liable to the Plaintiff, then you must consider the question of damages. Damages are defined in law as that amount of money that will compensate an injured party for the harm or loss that he/she has sustained. The rationale behind compensatory damages is to restore a person to the position he/she was in prior to the harm or the loss. Compensatory damages, then, are the amount of money which will replace, as near as possible, the loss or harm caused to a person. In this regard, you may consider the previous instructions I have given on the matter of damages.

When you assess damages, you must not be oppressive or unconscionable, and you may assess only such damages as will fairly and reasonably compensate the Plaintiff insofar as the same may be computed in money. You must confine your deliberations to the evidence, and you must not indulge in guesswork, speculation or conjecture.