

jury instructions california civil

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1 proof on an issue of fact if, after consideration of all
2 the evidence, the jurors believe that what is sought to be
3 proved on that issue is more likely true than not true.

4 A contract is an agreement to do a certain
5 thing. A contract must be interpreted to give effect to
6 the agreement of the parties at the time of contracting.
7 You must determine what the parties agreed to by the words
8 used in the written contract. What the parties agreed to
9 is based on the words and acts of the parties, and not on
10 their thoughts or unstated intentions. In determining the
11 meaning of the contract you may consider all of the
12 circumstances leading to the contract, such as the
13 negotiations and statements of the parties before the
14 contract and the object, nature, and subject matter of the
15 contract.

16 The rights and duties of the parties are
17 governed by the written documents which have been admitted
18 into evidence as Exhibits 2, 3, 5, and in addition thereto
19 Exhibit 6, if you find Exhibit 6 to be a valid agreement.
20 All of the documents which are part of the same transaction
21 must be interpreted together as one contract. If there are
22 any provisions in one of these documents limiting,
23 explaining, or otherwise affecting the provisions of another,
24 all such provisions should be given consideration in
25 determining the agreement of the parties.

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