

14-5051. Hypothetical questions.

In examining an expert witness, the lawyer may ask him to assume a state of facts and to give an opinion based on that assumption.

In permitting such a question, the court does not rule, and does not necessarily find that all the assumed facts have been proved.

You must find from all the evidence whether or not the assumed facts have been proved. If you should find that any assumption has not been proved, you are to determine the effect of that failure of proof on the value and weight of the expert opinion based on the assumption.

USE NOTES

No instruction on this subject shall be given.