

N.C.P.I.-Motor Vehicle 103.70
FINAL MANDATE-AGENCY ISSUE.
MOTOR VEHICLE VOLUME
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Finally, as to this agency issue, on which the [plaintiff] [defendant] has the burden of proof, if you find by the greater weight of the evidence, that at the time of [the collision] [(describe other occurrence)] a relationship of principal and agent existed between the [defendant (*name defendant*)] [plaintiff (*name plaintiff*)] and (*name agent*), that (*name agent*) was engaged in the work and about the business of the [defendant (*name defendant*)] [plaintiff (*name plaintiff*)], and that (*name agent*) was acting within the course and scope of *his* authority or employment, then (*name agent*) would be an agent of the [defendant (*name defendant*)] [plaintiff (*name plaintiff*)] and it would be your duty to answer this issue, "Yes" in favor of the [plaintiff] [defendant].

On the other hand if, considering all the evidence, you fail to find one or more of these things, then it would be your duty to answer this issue, "No," in favor of the [defendant] [plaintiff].