

N.C.P.I.-Civil. 645.30
COVENANTS NOT TO COMPETE - ISSUE OF WHETHER COVENANT WAS
BREACHED.
GENERAL CIVIL VOLUME
MAY 1976

645.30 COVENANTS NOT TO COMPETE - ISSUE OF WHETHER COVENANT
WAS BREACHED.

This issue reads:

"Has *(name party whose conduct is in issue)* breached *his* agreement with *(name other party)* by *(state conduct alleged to constitute breach)?*"

The burden of proof on this issue is on *(name party claiming breach)* to satisfy you by the greater weight of the evidence that *(name party whose conduct is in issue)* breached *his* agreement by *(state conduct alleged to constitute breach)*.

(Here summarize the evidence on this issue.)

So I finally instruct you on this issue that if you find by the greater weight of the evidence that *(name party whose conduct is in issue)* breached *his* agreement by *(state conduct alleged to constitute breach)* then you will answer this issue "Yes."

On the other hand if you fail to so find then you would answer this issue "No."