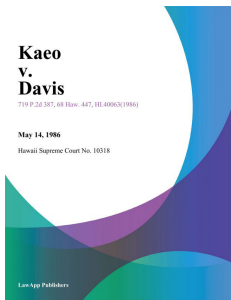


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KAEO V DAVIS EBOOKS 2019



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The Circuit Court of the First Circuit adjudged the City and County of Honolulu and Alfred K. Davis jointly and severally liable for the damages sustained by Lurline Kido in a single-car accident. The City appeals, averring the trial court erred in not permitting evidence of beer-drinking before the mishap by Davis, the driver, to be heard by the jury and in rejecting an instruction that would have apprised the jury of the possible legal consequence of its verdict on the negligence attributable to each putative joint tortfeasor. Exercising an abundance of caution the plaintiff cross-appeals, claiming error on the part of the trial court in excluding evidence of allegedly similar prior accidents. We agree with the City that the circuit court committed reversible error in excluding the evidence of drinking and with the plaintiff that the offered evidence of prior accidents should have been admitted. We also think a trial jury should be informed of the legal effect of its special verdict where the plaintiff's injury resulted from the negligence of more than one defendant.

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