

TRADE REGULATION--VIOLATION--WORK-AT-HOME SOLICITATIONS.  
N.C.G.S. § 75-31.<sup>1</sup>

The (*state number*) issue reads:

"Did the defendant<sup>2</sup> unlawfully [advertise] [represent] [imply] that the plaintiff could earn money by [stuffing envelopes] [addressing envelopes] [mailing circulars] [clipping newspaper and magazine articles] [*describe similar work*]?"

On this issue the burden of proof is on the plaintiff. This means that the plaintiff must prove, by the greater weight of the evidence, two things:

First, that the defendant, without actually paying compensation to others for [stuffing envelopes] [addressing envelopes] [mailing circulars] [clipping newspaper and magazine articles] [*describe similar work*], [advertised] [represented] [implied] that the plaintiff could earn money by doing (substantially) the same thing. "Compensation" means a [wage] [salary] [set fee] [commission].

Second, that the defendant required the plaintiff to [purchase from the defendant] [make a deposit to the defendant on] a(n) [instructional booklet] [brochure] [kit] [program] [*describe similar information material*] [mailing list] [directory] [membership in a cooperative association] [*describe other item or service*].

Finally, as to this issue on which the plaintiff has the

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<sup>1</sup>N.C.G.S. § 75-31.

<sup>2</sup>Defendant must be a person, firm, association, or corporation. Id.

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N.C.G.S. § 75-31. (Continued.)

burden of proof, if you find by the greater weight of the evidence that the defendant without actually paying compensation to others for [stuffing envelopes] [addressing envelopes] [mailing circulars] [clipping newspaper and magazine articles] [(describe similar work)], [advertised] [represented] [implied] that the plaintiff could earn money by doing (substantially) the same thing, and that the defendant required the plaintiff to [purchase from the defendant] [make a deposit to the defendant on] a(n) [instructional booklet] [brochure] [kit] [program] [(describe similar information material)] [mailing list] [directory] [membership in a cooperative association] [(describe other item or service)], then it would be your duty to answer this issue "Yes" in favor of the plaintiff.

If, on the other hand, you fail to so find, then it would be your duty to answer this issue "No" in favor of the defendant.