1. ASSIGNMENT 1  
INTRODUCTION & INTENTIONAL TORTS  
- Concept of Torts  
- Limitations Statutes / Discovery Rule for Fraud  
- Intent

2. ASSIGNMENT 2  
INTENTIONAL TORTS  
- Battery  
- Assault  
- False Imprisonment

3. ASSIGNMENT 3  
INTENTIONAL TORTS  
- I.I.E.D.  
- Trespass to Land  
- Trespass to Chattels/ Conversion

4. ASSIGNMENT 4  
PRIVILEGES/ DEFENSES  
- Consent: Actual  
- Consent: Apparent  
- Informed Consent / Invalid Consent

5. ASSIGNMENT 5  
PRIVILEGES/ DEFENSES  
- Self-Defense  
- Defense of Others / Defense of Property  
- Necessity / Saving Lives / Legal Authority

6. ASSIGNMENT 6  
NEGLIGENCE: STANDARDS OF CARE  
- Risk-Utility Balancing  
- Standard of Care: Duty / Breach

7. ASSIGNMENT 7  
NEGLIGENCE: STANDARDS OF CARE  
- Qualities of Reasonable Person  
- Emergencies / Custom  
- Knowledge: Professionals’ Standard of Care

8. ASSIGNMENT 8  
NEGLIGENCE: STANDARDS OF CARE  
- Judicially Determined Standards of Care/ Safety Statutes  
- Negligence Per Se

9. ASSIGNMENT 9  
NEGLIGENCE: THE RULE OF RES IPSA LOQUITUR  
- Res Ipsi Loquitur
10. ASSIGNMENT 10
Pages 223-254
CAUSATION: ACTUAL
- “But-For” Causation / Cause in Fact
  - Proving that Conduct Was Capable of Causing Harm
    - Daubert

11. ASSIGNMENT 11
Pages 255-273
CAUSATION: ACTUAL
- Several Negligent Tortfeasors
- Indivisible Harm / Joint & Several
  - Summers / Sindell

12. ASSIGNMENT 12
Pages 275-314
CAUSATION: PROXIMATE
- Reasonably Foreseeable Consequences
  - Palsgraf
- Negligence Per Sé

13. ASSIGNMENT 13
Pages 315-350
CAUSATION: PROXIMATE
- Superseding Causes
- Duty

14. ASSIGNMENT 14
Pages 353-387
LIMITED DUTY:
NON-LIABILITY DESPITE FORESEEABILITY
- Limiting the Duty to Rescue
  - Tarasoff

*Mid-Term: Take-Home Exam Distributed Sept. 29 (Due Th Oct. 13, 10:00 a.m.)*

<<< TUESDAY, OCTOBER 4, 2016 NO CLASS (1st of 4 this term) >>>

15. ASSIGNMENT 15
Pages 387-425
LIMITATIONS ON RECOVERY
- Limitations on Recovery for Pure Economic Loss
- Limitations on Recovery for Emotional Distress
  - Thing v. La Chusa

<<< TUESDAY, OCTOBER 11, 2016 NO CLASS (2nd of 4 this term) >>>

16. ASSIGNMENT 16
Pages 439-459
OWNERS & OCCUPIERS OF LAND
- Duties Owed to Trespassers
- Duties Owed to Licensees
- Duties Owed to Invitees

<<<<<< Mid-Term: Take-Home Optional Exam Due Oct. 13, at 10:00 a.m. >>>>>

<<< TUESDAY, OCTOBER 18 2016 NO CLASS (3rd of 4 this term) >>>
17. ASSIGNMENT 17
Pages 459-479
OWNERS & OCCUPIERS OF LAND
- Firefighters’ Rule
- Recreational Use Statutes
- Duties Owed to Those Outside the Premises
- Duties Owed by Lessors
- Premises Liability: Securing from Crime

<<<< TUESDAY, OCTOBER 25, 2016 NO CLASS (4th of 4 this term) >>>

18. ASSIGNMENT 18
Pages 481-499
AFFIRMATIVE DEFENSES
- Contributory Negligence
- Comparative Negligence

19. ASSIGNMENT 19
Pages 499-526
AFFIRMATIVE DEFENSES
- Assumption of the Risk
- Avoidable Consequences

20. ASSIGNMENT 20
Pages 526-546
AFFIRMATIVE DEFENSES
- Immunities
- Limitations Statutes
- Statutes of Repose

21. ASSIGNMENT 21
Pages 547-572
JOINT TORTFEASORS
- Concerted Action
- Liability by Operation of the Law
- Indivisible Injury
- Satisfaction / Contribution and Indemnity
- Settlement and Release

22. ASSIGNMENT 22
Pages 575-603
STRICT LIABILITY
- Owning Animals
- Abnormally Dangerous Activities

23. ASSIGNMENT 23
Pages 605-629
PRODUCTS LIABILITY
- Warranty of Merchantability
- Strict Liability
- Proving Defects
- Design Defects

24. ASSIGNMENT 24
Pages 629-654
PRODUCTS LIABILITY
- Design Defects: Consumer Expectations
- Two-Pronged Test for Defect
- Category Liability
GENERAL STUFF re: YOUR CLASS MATERIALS, YOUR GRADES, MY EXPECTATIONS, AND MY ACCESSIBILITY:

COURSE MATERIALS: We use the Twerski-Henderson-Wendel TORTS Casebook. In the Class Syllabus, I assign you approximately 25 pages to read in advance of each class. Sometimes the reading is ten pages longer than usual, sometimes shorter.

GRADING FACTORS: Two components factor into your final grade:
(i) your “Class Participation component” and
(ii) your “Exam Component.”

CLASS PARTICIPATION COMPONENT AND ATTENDANCE POLICY – You already know that the law school requires you to attend classes. I consider not only your regular attendance but also the quality of your class participation in assigning the “Class Participation component” of your final grade. Like several other professors at the law school, I will add 0.1 points to your “Exam Component” for your final grade (e.g., from 3.4 to 3.5) for solid participation, and I will subtract up to 0.5 points (e.g., from 3.4 to 2.9) from your “Exam Component” for poor participation.

EXAM COMPONENT — Your “Exam Component” consists of (i) your Mid-Term and (ii) your Final Exam. Your Mid-Term grade comprises 20% of the “Exam Component.” Your Final Exam comprises 80% of the “Exam Component.” The Exams include both essay and multiple-choice components. The Final Exam is closed book.

OFFICE HOURS — As an Adjunct Professor of Law, I do not maintain formal office hours. However, I stand ready and eager to answer questions, clarify materials taught, and discuss whatever is on your mind. You can always email me. Moreover, if the need arises, I can do a Starbucks or Coffee Bean meeting with you, too. In addition, as the term winds down, I schedule one or two days to be on campus for formal student meetings.
A “FINAL WORD” — What Our Torts Course Is About and What You Aim to Derive from It: Please approach our Torts class with the understanding that, for a great majority of practicing attorneys, a mastery of Tort law is one of the central components of mastering real-life law practice. From “slips and falls” and “P.I. — Personal Injury Law” to the fascinating concept of “Res Ipsa Loquitur,” Tort law is the stuff of everyday life and litigation. It is about the hot coffee that spills on the lap of the driver, the defective product that causes further damage, the falls on broken pavement and the slips on banana peels left on the floor at the supermarket’s Aisle 6. In this course, you will be learning the full gamut of common civil torts, what they are, how to determine whether liability exists, plaintiffs’ strategies and the range of remedies that exist for such victims, and defendants’ strategies and the range of defenses available for accused tortfeasors. A solid knowledge of Torts law will make you more knowledgeable attorneys (and also will make you more interesting at parties and at family gatherings).

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