

**TORTS  
REQ7150**

Professor Clark  
Fall 2022

**READING & ASSIGNMENT SCHEDULE – Part I**

**INTENTIONAL TORTS**

*August*

**8/29: Introduction to Tort Law and Battery**

Required Reading: Text pages 1-18  
Anatomy of a Lawsuit (Canvas: Files, Supplemental Materials)  
Elements of a Case Brief (Canvas: Files, Supplemental Materials)  
How to Read a Legal Option (Canvas: Files, Supplemental Materials)

Questions:

1. What are the three basic categories of tort law?
2. What are three rationales for tort law? Which rationale do you think is the most important?
3. Be prepared to discuss *Waters v. Blackshear* at page 16 by briefing that case.
4. Be prepared to discuss *Polmatier v. Russ* at page 18 by briefing that case.

*September*

**9/1: Battery (cont.)**

Required Reading: Text pages 18 -31

Questions:

1. Be prepared to discuss the problems at pages 22-23.
2. What are the elements of a cause of action for battery?
  - a. What element(s) were at issue in *Waters*?
  - b. What element(s) were at issue in *Polmatier*?
3. Be prepared to discuss *Nelson v. Carroll* at page 23. What did the court hold? What was the rationale?

4. Be prepared to discuss *Leichtman v. WLW Jacor Communications, Inc.* at page 28. What did the court hold? What was the rationale?
5. Be prepared to discuss *Andrews v. Peters* at page 29. What did the court hold? What was the rationale?
6. Be prepared to discuss the problems at page 31.

**9/2: Battery (cont.) and Assault**

Required Reading: Text pages 32-46

Questions:

1. Be prepared to discuss the problems at page 31.
2. Be prepared to discuss *White v. Muniz* at page 32. What did the court hold? What was the rationale? What is the difference between single intent and dual intent?
3. Be prepared to discuss the problem at page 36.
4. Be prepared to discuss *Taylor v. Barwick* at page 37. What are nominal damages? Why does the law allow nominal damages for battery? What other types of damages are there in tort cases?
5. Be able to explain the following:
  - a. Directed Verdict
  - b. Summary Judgment
  - c. Judgment as a Matter of Law  
also known as Judgment notwithstanding the Verdict
6. What are the elements of a cause of action for assault?
7. Be prepared to discuss *Cullison v. Medley* at page 40. What did the court hold? What was the rationale?
8. Be prepared to discuss *Brower v. Ackerley* at page 42. What did the court hold? What was the rationale?
9. Be prepared to discuss the problem at pages 45-46.