TORTS
REQ7150

Professor Clark
Fall 2022

READING & ASSIGNMENT SCHEDULE – Part I

INTENTIONAL TORTS

August

8/29: <u>Introduction to Tort Law and Battery</u>

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: <u>Battery (cont.)</u>

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: <u>Battery (cont.) and Assault</u>

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.