

07-31-12

Torts Syllabus

Version 1.0

Fall 2012; Monday, Tuesday & Wednesday, 11:20 AM-12:45 PM, Room 240, Boalt

Professor Paul Schwartz

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Office: Room 333, Boalt Hall, School of Law, North Addition

Office Hours: Thursday, 2:30-3:30 PM and by appointment

All page references are to

RICHARD A. EPSTEIN & CATHERINE M. SHARKEY, *CASES AND MATERIALS ON TORTS* (Aspen 10th ed. 2012)

RICHARD L. RABIN & STEPHEN D. SUGARMAN, *TORT STORIES* (FOUNDATION PRESS 2003)[hereinafter, *Tort Stories*]

There will be a final examination at the end of the semester. There will also be a midterm writing exercise.

Important Law School Dates

Labor Day Holiday: September 3, Monday (No Class)

Veterans Day Holiday: November 12, Monday (No Class)

Thanksgiving Holiday: November 22-23, Thursday-Friday

Make-up day for Monday classes missed on Veteran's Day: November 29, Thursday

Instruction Ends: November 29, Thursday

No classes on:

Sept. 17 (M), Sept. 18 (T), Sept. 19 (W), Sept. 26 (W)

Make Up Classes on:

Sept. 6 (Th), Sept 13 (Th), Oct 25 (Th), Nov. 1 (Th)

All make-up classes will be held at 11:45 AM to 12:20 PM in Boalt Room 145.

Writing Exercise

Handed out on October 10, due October 15

Class Schedule

Intentional Torts

pp. 1-14

pp. 14-21; pp. 219-234

pp. 21-28

pp. 28-37

pp. 37-44

pp. 44-55; Tort Stories, pp. 259-290 (Vincent v. Lake Erie)

pp. 55-59; pp. 59-68

pp. 68-75

Strict Liability vs. Negligence

pp. 103-114

Tort Stories, pp. 207-228 (Rylands v. Fletcher)

pp. 114-121; pp. 129-139

pp. 139-143

Negligence

pp. 145-156

pp. 156-169

pp. 169-177

pp. 178-189; Torts Stories, pp. 11-39 (U.S. v. Carroll Towing)

pp. 189-198

pp. 198-206

pp. 206-219

Negligence- Breach

pp. 219-234

pp. 234-257

pp. 262-265

Negligence-Proof of Negligence

pp. 271-289

pp. 289-300

Negligence- Plaintiff's Conduct

pp. 301-316

pp. 316-330

pp. 333-355; Tort Stories, pp. 179-206 (Murphy v. Steeplechase Amusement Co)

Negligence- Comparative Negligence

pp. 355-374

Causation

pp. 375-389; pp. 391-393

pp. 402-410; pp. 410-430

pp. 445-466; pp. 466-474;

pp. 475-487; pp. 487-498

Affirmative Duties

pp. 509-529

pp. 529-550

Torts Stories, pp. 73-98 (Rowland v. Christian)

pp. 567-589

Torts Stories, pp. 99-128 (Tarasoff v. Regents of Univ. of California)

Strict Liability

pp. 591-602; pp. 606-615;

pp. 615-625

Strict Liability- Ultrahazardous Activities

pp. 626-646

Products Liability

pp. 711-736

Torts Stories, pp. 41-72 (MacPherson v. Buick Motor Co)

pp. 737-756

pp. 756-784

pp. 785-811

Privacy

pp. 1138-1146

pp. 1155-1171

pp. 1176-1196

Review Session
TBA