

EMPIRE COLLEGE SCHOOL OF LAW  
LAW STUDIES & EXAMS  
FINAL – SUMMER 2012  
Prof. Burtnett

Category: TORTS

Pioneer Day was a big annual event in the little town of Red Fork. Townsfolk wore 19th century costumes while hosting a barbecue, ice cream social, games, races and a raffle. Ten-year-old Tina and her 12-year-old brother Burt were eating buttered corn on the cob at the picnic tables when Burt held his cob over Tina's head so the butter could drip on her hair. Tina discovered what he was doing when she felt the first drips of butter, and angrily knocked the cob out of his hand. Because his corn cob fell in the dirt, Burt snatched Tina's corn cob and ate that as she tried to grab for it. When he was mostly done, Burt playfully threw the cob away. Burt didn't realize that the cob almost hit Jack, the high school star quarterback, who ducked to avoid being hit with it.

Jack and his friend Ed marched Burt over to the dunk tank and told him he had to stay in the tank for ten minutes as punishment for throwing the corn cob in Jack's direction. After his first dunking, Burt tried to get out, but Jack told him Ed would pound him if he left before the ten minutes were up and Jack's dad was the chief of police, so Burt stayed the whole ten minutes, getting dunked three more times.

To get back at Jack, Burt snuck over to the ice cream booth run by Jack's mom, Liz. He secretly substituted ketchup-covered hot dogs for bananas in several banana splits. When Liz discovered the prank, she had to throw out those sundaes and make new ones. In his haste to get out of the ice cream booth undetected, Burt accidentally knocked over a bottle of Kahlua, which poured onto the hot fudge sundaes that Liz was selling to Pastor Pat and his wife Peg. The usually shy and diffident teetotaler Pastor Pat was soon belting out bawdy show tunes at the top of his lungs while Peg danced a jig on a picnic table. Both were so mortified afterward, they had to leave town, which meant giving up their jobs and struggling financially.

Discuss all torts.