

QUESTION NO. 1 - ISSUE OUTLINE

Sid and Fran v. ASC Doors

Products liability

Negligence

Express warranty

Implied warranty

Strict liability in tort

erroneous instructions as design defect

Causation – actual and proximate

Damages

Compensatory for injuries to person and Max

Fran's loss of consortium damages, if married or legal domestic couple

Sid and Fran v. Bice Hardware

Negligence

Express warranty

Implied warranty

Strict liability in tort

erroneous instructions as design defect

Causation – actual and proximate

Damages

Compensatory for injuries to person and Max

Fran's loss of consortium damages, if married or legal domestic couple

Sid and Fran v. John

Negligence

Duty

Breach

Causation

Actual

Proximate

Damages

Ginger v. all defendants

Rescuer

Can recover damages to shoulder under theories of negligence and strict liability in tort

Joint and several liability

Contribution and indemnity

QUESTION NO. 2 - ISSUE OUTLINE

Gary's Nursery v. Albert

Private nuisance

Interference with prospective economic advantage

element of wrongfulness

Trespass to land (premises?) – concerted action

Conversion of plants – concerted action

Compensatory and punitive damages

Gary's Nursery v. What's Up?

Private nuisance

Interference with prospective economic advantage

Trespass to land (premises?)

Conversion of plants

Slander per se (accusation of crime of moral turpitude)

Compensatory and punitive damages

Joint and several liability for private nuisance, interference with prospective economic advantage, trespass to land, and conversion

Contribution and indemnity for private nuisance and interference with prospective economic advantage, trespass to land, and conversion