

Empire College School of Law
Professor Stogner
Torts Issue Outline
Spring 2011 – Midterm

Question 1

Patel vs. Don and Dan

False Imprisonment

Battery

--Transferred intent

Trespass to chattel (clothes)

Intentional infliction of emotional distress

Patel vs. WU

Negligence

--poor security

--failure to affix bathroom to ground

--proximate cause (supervening intervening act?)

Don and Dan vs. Patel

Assault

Battery

No self defense

Don and Dan vs. WU

Negligence

--poor security

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Peter vs. Dave

Negligence

Negligence per se

--proximate cause (unforeseeable type of damage?)

Negligence

--re increased injury due to refusal to render aid; duty to act

Dave vs. Peter

Conversion

--innocent mistake no defense

Trespass to chattel

Trespass to land

Intentional infliction of emotional distress