

Professor Stogner
Torts--Final
Spring 2015
Issue outline

Question 1

Paul v. Doris, Inc.

Products Liability

- negligence
- express warranty
- implied warranty of merchantability
- design defect
- (--no manufacturing defect)
- failure to warn

Defamation

- libel

Doris, Inc. v. Paul

- Interference with prospective economic advantage
 - (--no evidence of economic loss)
- Injurious falsehood
 - (--no evidence of actual damages)

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Question 2

Peter v. Doug

- Misrepresentation
 - (--no present intention to perform future act)
- Private nuisance
- Negligence re dog
 - (--no trespass to chattel re dog, no intent)

Doug v. Peter

- Interference with prospective economic relations
 - potential defenses of justification, first amendment boycott issues
 - (--no defamation/false light issues: statements were opinion, not actionable as falsehoods)