

## ACADEMIC COURSE SYLLABUS

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| <b>COURSE TITLE:</b>                                                                                                                                                                                                            | <b>TORTS</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                              |
| <b>COURSE NUMBER:</b>                                                                                                                                                                                                           | LAW 502A                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | Torts- 1st semester of two-semester course*  |
|                                                                                                                                                                                                                                 | LAW 502B                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | Torts - 2nd semester of two-semester course* |
|                                                                                                                                                                                                                                 | LAW 502A/B*                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | Torts                                        |
|                                                                                                                                                                                                                                 | * Denotes all non-severable, two semester courses. Both semesters must be successfully completed to receive final A/B course grade.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                              |
| <b>UNITS:</b>                                                                                                                                                                                                                   | 3 Units/Semester (must complete both semesters to earn 6-Unit final grade at the end of both semesters)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                              |
| <b>COURSE TYPE:</b>                                                                                                                                                                                                             | Required                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                              |
| <b>PROFESSOR(S) NAME:</b>                                                                                                                                                                                                       | Joseph Stogner, Esq.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                              |
| <b>PROFESSOR CONTACT INFO:</b>                                                                                                                                                                                                  | 707/571-0110 or <a href="mailto:jlstogner@hotmail.com">jlstogner@hotmail.com</a>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                              |
| <b>SCHEDULE:</b>                                                                                                                                                                                                                | Two-semester class:<br>Fall 2014, Thursdays 6:30-9:30pm, Room # 212 and<br>Spring 2015, Thursdays 6:30-9:30pm, Room # 212                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                              |
| <b>PREREQUISITES:</b>                                                                                                                                                                                                           | Completion of LAW I401– Introduction to Law and LAW I402– Legal Research and Writing, or equivalent                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                              |
| <b>COREQUISITES:</b>                                                                                                                                                                                                            | None                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                              |
| <b>TEXTS AND MATERIALS:</b><br>(Identification of any texts, materials and references used throughout the course.)                                                                                                              | <p><u>Required:</u> <i>Torts, Cases &amp; Materials, 12<sup>th</sup> edition;</i> West/Foundation Press, Prosser Wade Schwartz's ISBN-13 # 9781599417042.</p> <p><u>Recommended:</u> <i>The Law of Torts</i>, Hornbook Dobbs, West Group, 2000 ISBN#9780314211873</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                              |
| <b>COURSE DESCRIPTION:</b>                                                                                                                                                                                                      | Intentional wrongs to person and property; unintentional wrongs; negligence; duty of persons in control of property; tort liability arising from contractual relationships; liability for defective products; liability without fault; deceit; defamation; malicious prosecution; interference with contractual economic and other legally protectable relations, tort alternatives.                                                                                                                                                                                                                                                                                                                                                          |                                              |
| <b>COURSE OBJECTIVES / ANTICIPATED LEARNING OUTCOMES:</b> (Description of what students will be expected to know and be able to do at the end of the course. What skills or knowledge will be gained by the end of the course.) | <p>This course will cover intentional wrongs to person and property; negligence; duty of persons in control of property; liability without fault; products liability; nuisance; defamation; privacy; misuse of legal process; misrepresentation; interference with contractual relations; and unclassified torts. Students will learn the essential elements for the various torts, as well as their interrelationships. Fact patterns will be analyzed to ascertain the different theories of tort liability which may be applied.</p> <p>Students will be expected to learn the elements of each tort and all potential defenses. They will be expected to demonstrate their knowledge through classroom case briefing, discussion, and</p> |                                              |

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|                                                                                                                                                       | <p>performance on essay and multiple choice exams.</p> <p>While goals of the course include consideration of the evolution of tort law, and how tort law fits into the larger social fabric; the principle goal of the course is to cause students to develop and demonstrate a level of competency in this core subject that will allow them to practice tort law in the state of their choosing.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| <p><b>FORMAT OVERVIEW / METHOD OF INSTRUCTION</b> (Description of how the course will be taught, including breakdown of lecture, practicum, etc.)</p> | <p>Course material will be presented in a lecture-discussion and Socratic method format.</p> <p>Students will be expected to participate in briefing and class discussions.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| <p><b>EXAMS:</b></p>                                                                                                                                  | <p>The grade will be comprised of the results of a three hour midterm Exam (25%) and a three hour final exam (75%).</p> <p>Two essay questions and a series of multi-state/multiple choice questions will be given for both the midterm and final exams. For the essay questions, students will be expected to identify the legal issues raised in the fact patterns, apply the appropriate rules of law, and arrive at a well reasoned conclusion.</p> <p>For the multi-state/multiple choice questions, students will be expected to choose the best of alternative answers, according to generally accepted common law views, without consideration of any statutes.</p> <p>General Policies: Exams begin promptly at 6 p.m. All students must take examinations as scheduled. It is recognized that in special circumstances and due to emergencies, it may be necessary to schedule delayed examinations. An emergency is defined as a serious illness or injury to the student or a member of his or her immediate family. Special Circumstances are defined as other situations that, in the opinion of the Dean, are sufficient to warrant delay in taking examinations. <b>Any student taking delayed examinations <u>must have the prior written approval of the Dean.</u></b> No examination may be taken <u>prior</u> to the day of the regularly scheduled examination. If delayed examinations are approved by the Dean, <u>a fee of \$75 will be charged for each such exam taken.</u> Failure to complete an exam is not sufficient reason for a late or retake exam.</p> |
| <p><b>GRADING / ASSESSMENT CRITERIA/CLASS POLICIES:</b></p>                                                                                           | <p>Empire College uses the following grading system:<br/> <u>Numerically graded classes:</u><br/> 90 – 100 A Outstanding<br/> 80 - 89 B Superior<br/> 70 - 79 C Satisfactory<br/> 65 - 69 D Unsatisfactory<br/> 64 and Below Failing/No Credit</p> <p>Only numeric grades in Required courses are used to calculate grade point average.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |

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|                                                     | The grade will be comprised of the results of a:<br>Three-hour Midterm exam (25%) and a<br>Three-hour cumulative Final exam (75%).                                                                                                                                                                                                               |
| <b>ATTENDANCE:</b>                                  | Regular and punctual attendance is essential for the successful completion of law school. Students should plan to attend every class. Students must attend a <b>minimum of 80% (36 hours — 12 of 15 classes)</b> of the class sessions during each semester. Roll will be taken at each class.<br><br>Make-up classes to be scheduled if needed. |
| <b>ASSIGNMENTS:<br/>Fall 2014</b>                   |                                                                                                                                                                                                                                                                                                                                                  |
| <b>Week 1: 9/4/14</b>                               | "Development of Liability Based Upon Fault" and "Intentional Interference with Person or Property". Read and prepare cases and problems for classroom discussion, Text, pages 1 - 37.                                                                                                                                                            |
| <b>Week 2: 9/11/14</b>                              | "Intentional Interference with Person or Property". Read and prepare cases and problems for classroom discussion, Text, pages 37 - 68.                                                                                                                                                                                                           |
| <b>Week 3: 9/18/14</b>                              | "Intentional Interference with Person or Property" and "Privileges". Read and prepare cases and problems for classroom discussion, Text, pages 68 - 114.                                                                                                                                                                                         |
| <b>Week 4: 9/25/14</b>                              | "Privileges" and "Negligence". Read and prepare cases and problems for classroom discussion, Text, pages 114 – 150.                                                                                                                                                                                                                              |
| <b>Week 5: 10/2/14</b>                              | "Negligence". Read and prepare cases and problems for classroom discussion, Text, pages 150 - 187.                                                                                                                                                                                                                                               |
| <b>Week 6: 10/9/14</b>                              | "Negligence". Read and prepare cases and problems for classroom discussion, Text, pages 187 - 238.                                                                                                                                                                                                                                               |
| <b>Week 7: 10/16/14</b>                             | "Negligence" and "Causation in Fact". Read and prepare cases and problems for classroom discussion, Text, pages 238 - 267.                                                                                                                                                                                                                       |
| <b>Week 8: 10/23/14</b>                             | "Causation in Fact" and "Proximate or Legal Cause". Read and prepare cases and problems for classroom discussion, Text, pages 267 - 319.                                                                                                                                                                                                         |
| <b>Week 9: 10/30/14</b>                             | "Proximate or Legal Cause". Read and prepare cases and problems for classroom discussion, Text, pages 319 - 373.                                                                                                                                                                                                                                 |
| <b>Week 10: 11/6/14</b>                             | "Joint Tortfeasors". Read and prepare cases and problems for classroom discussion, Text, pages 374 - 405.                                                                                                                                                                                                                                        |
| <b>Week 11: 11/13/14</b>                            | "Joint Tortfeasors" and "Duty of Care" Read and prepare cases and problems for classroom discussion, Text, pages 405 - 452.                                                                                                                                                                                                                      |
| <b>Week 12: 11/20/14</b>                            | "Duty of Care" and "Owners and Occupiers of Land". Read and prepare cases and problems for classroom discussion, Text, pages 452 - 509.                                                                                                                                                                                                          |
| <b>Week 13: 11/27/13 – Thanksgiving – No School</b> | "Owners and Occupiers of Land" and "Damages". Read and prepare cases and problems for classroom discussion, Text, pages 509 - 585.                                                                                                                                                                                                               |
| <b>Week 14: 12/4/14</b>                             | Catch-up if needed and Review.                                                                                                                                                                                                                                                                                                                   |
| <b>Week 15: Midterm date TBA</b>                    | Midterm exam – 3 hour exam with 2 Essay questions and MBEs                                                                                                                                                                                                                                                                                       |

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| <b>ASSIGNMENTS:<br/>SPRING 2015</b> |                                                                                                                                                                               |
| <b>Week 1: 1/8/15</b>               | "Wrongful Death & Survival" and "Defenses". Read and prepare cases and problems for classroom discussion, Text, pages 586 - 625.                                              |
| <b>Week 2: 1/15/15</b>              | "Defenses". Read and prepare cases and problems for classroom discussion, Text, pages 625 - 662.                                                                              |
| <b>Week 3: 1/22/15</b>              | "Defenses" and "Vicarious Liability". Read and prepare cases and problems for classroom discussion, Text, pages 662 - 712.                                                    |
| <b>Week 4: 1/29/15</b>              | "Strict Liability" and "Products Liability". Read and prepare cases and problems for classroom discussion, Text, pages 712 - 768.                                             |
| <b>Week 5: 2/5/15</b>               | "Products Liability". Read and prepare cases and problems for classroom discussion, Text, pages 768 - 832.                                                                    |
| <b>Week 6: 2/12/15</b>              | "Nuisance" and "Defamation". Read and prepare cases and problems for classroom discussion, Text, pages 833 - 869.                                                             |
| <b>Week 7: 2/19/15</b>              | "Defamation". Read and prepare cases and problems for classroom discussion, Text, pages 869 - 938.                                                                            |
| <b>Week 8: 2/26/15</b>              | "Defamation" and "Privacy". Read and prepare cases and problems for classroom discussion, Text, pages 938 - 1008.                                                             |
| <b>Week 9: 3/5/15</b>               | "Privacy" and "Civil Right". Read and prepare cases and problems for classroom discussion, Text, pages 1008 - 1040.                                                           |
| <b>Week 10: 3/12/15</b>             | "Misuse of Legal Procedure" and "Misrepresentation". Read and prepare cases and problems for classroom discussion, Text, pages 1041 - 1079.                                   |
| <b>Week 11: 3/19/15</b>             | "Misrepresentation". Read and prepare cases and problems for classroom discussion, Text, pages 1079 - 1116.                                                                   |
| <b>Week 12: 3/26/15</b>             | "Interference with Advantageous Relationships" Read and prepare cases and problems for classroom discussion, Text, pages 1117 – 1177                                          |
| <b>Week 13: 4/2/15</b>              | "Torts in the Age of Statutes" and "Compensation Systems as Substitutes for Tort Law". Read and prepare cases and problems for classroom discussion, Text, pages 1178 - 1236. |
| <b>Week 14: 4/9/15</b>              | Catch-up if needed, Cumulative Review and Exam Preparation                                                                                                                    |
| <b>Week 15: Final Exam date TBA</b> | 3-hour Final Examination – The final exam will be cumulative, covering all course material from both semesters. 3 hour exam with 2 Essay questions and MBEs                   |

Syllabus subject to change.