

## SYLLABUS

Course Number:	F 140
Course Name:	Torts
Professor:	Richard C. Gould
When:	Thursday, 6:30 p.m. - 9:30 p.m. Summer Semester, 2010
Units:	3 Units
Text and Hornbook:	<u>Torts, Cases and Materials</u> , Schwartz, Kelly and Partlett, The Foundation Press (10th Ed., 2000) - text (required); <u>The Law of Torts</u> , Dobbs, West Group - hornbook (recommended).
Grading:	90% - 100%      A      Outstanding 80% - 89%      B      Superior 70% - 79%      C      Satisfactory 65% - 69%      D      Unsatisfactory Below 65%      F      Failing, No Credit
Grade Determination:	The grade will be comprised of the results of a three hour midterm exam (25%) and a three hour final exam (75%).
Attendance: than	A minimum of 80% attendance is required. This means that no more 20% of the total class hours can be missed .
Goals:	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.
Prerequisites:	None

## Assignments for the Class

- Week 1 "Wrongful Death & Survival" and "Defenses". Read and prepare cases and problems for classroom discussion, Text, pages 565 – 610, and Knight v. Jewett (1992) 3 Cal.4<sup>th</sup> 296 [11 Cal.Rptr.2<sup>nd</sup> 2].
- Week 2 "Defenses". Read and prepare cases and problems for classroom discussion, Text, pages 613 – 659.
- Week 3 "Vicarious Liability" and "Strict Liability". Read and prepare cases and problems for classroom discussion, Text, pages 660 - 717.
- Week 4 "Products Liability". Read and prepare cases and problems for classroom discussion, Text, pages 718 - 764.
- Week 5 "Products Liability" and "Nuisance". Read and prepare cases and problems for classroom discussion, Text, pages 765 - 815.
- Week 6 "Nuisance" and "Defamation". Read and prepare cases and problems for classroom discussion, Text, pages 816 - 867.
- Week 7 "Defamation". Read and prepare cases and problems for classroom discussion, Text, pages 867 - 938.
- Week 8 "Privacy" and "Civil Rights". Read and prepare cases and problems for classroom discussion, Text, pages 939 - 1003.
- Week 9 "Misuse of Legal Process" and "Misrepresentation". Read and prepare cases and problems for classroom discussion, Text, pages 1004 - 1033.
- Week 10 "Misrepresentation". Read and prepare cases and problems for classroom discussion, Text, pages 1033 - 1077.
- Week 11 "Interference with Advantageous Relationships". Read and prepare cases and problems for classroom discussion, Text, pages 1078 - 1107.
- Week 12 "Interference with Advantageous Relationships" and "Torts in the Age of Statutes" Read and prepare cases and problems for classroom discussion, Text, pages 1107 - 1164
- Week 13 "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 1164 - 1217.
- Week 14 Review.
- Week 15 Final Exam

Midterm  
and Final Exam:

3 Hours

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.

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.