SUMMER '94 FINAL—CHECKLIST

QUESTION 1

☐ Overview
☐ Claim v. University
☐ Sovereign Immunity Statute
☐ § 63-30-10: negligent omission
☐ Duty of care?
☐ did the U. create the risk?
☐ [Assumption of risk issue]
☐ Was there justifiable reliance?
☐ Enrollment in University?
☐ Camping trip
☐ Becoming intoxicated

☐ Defenses
☐ Statute of Limitations
☐ Claim must be filed within one year
☐ Extensions?
☐ Contributory negligence
☐ Appears to require that the defendant be more at fault than plaintiff (§ 78-27-38)
☐ Drinking was probably negligent
☐ Assumption of risk
☐ treated as a percentage reduction

QUESTION 2

☐ Overview
☐ Williamson's negligence
☐ Medical malpractice standards generally
☐ Expert testimony re standard of care
☐ Jury question / battle of experts
☐ Proximate cause question
☐ Informed consent probably not an issue
☐ Claim v. Walker
☐ Duty owed
☐ Premises liability
☐ Is he an invitee?
☐ Did he use reasonable care?

☐ Defenses based upon comparative negligence
☐ Statute: defendant, plus immune, must be greater than P's negligence
☐ Assumption of risk
☐ Would the employer be found negligent?
☐ Any other parties potentially at fault

☐ Multiple tortfeasor liability issues
☐ Joint and several liability
☐ Statutory provision

Exam Number __________