SUMMER '95 MID-TERM—CHECKLIST

QUESTION 1

☐ Overview
☐ Claim v. Hospital/Doctor?
☐ Claim v. Mfr
☐ Negligence claim
☐ standard of reasonable care
☐ definition of reasonable care
☐ proximate cause
☐ but-for cause
☐ alternative liability
☐ *Summers v. Tice*
☐ legal cause would be easy

☐ wrongful death statute
☐ what are "just damages"
☐ lost wages
☐ pain and suffering
☐ measured by *his* damages, or hers?
☐ Age something of a problem

QUESTION 2

☐ Overview
☐ Claim v. Hawkins
☐ how did it start?
☐ was there negligence?
☐ negligence defined
☐ safety policies?
☐ custom of the industry
☐ Vicarious Liability
☐ potential violation of § 14-50
☐ negligence per se rules
☐ Thief can't be found
☐ Claim v. NYCPO
☐ Negligence - not likely
☐ abnormally dangerous activity
☐ Restatement criteria
☐ Application of criteria

☐ Claim v. landowner
☐ nuisance?
☐ "escape" of gas / invasion
☐ reasonable expectations
☐ proximate cause defined
☐ but-for cause
☐ legal cause
☐ superseding tortfeasor problem for owner

☐ was the "chain of causation" broken?
☐ foreseeability

☐ damages
☐ cost to repair v. diminution in market value

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