

**TORTS**  
**Fall 2012 Target Schedule**  
**(Revised: \_\_/\_\_/2012)**

Aug	27	Ch. 1	<b>Development of Liability Based Upon Fault:</b> Administrative Matters, plus begin Chapter 1 text and cases
	28		Finish Development of Liability Based on Fault
	29	Ch. 2	<b>Intentional Interference with Person or Property:</b> Intent
Sep	3		No Class (Labor Day)
	4		Resume Intentional Interference: Battery; Assault; False Imprisonment (skip <i>Hardy, Enright &amp; Whittaker</i> )
	5		Same: Intentional Infliction of Emotional Distress (skip <i>Slocum</i> )
Sep	10		Remainder of Intentional Torts (skip <i>Rogers &amp; CompuServen</i> ; and note that, where PW&S provides <u>extensive text passages</u> rather than cases, e.g., after <i>Pearson</i> in Conversion, we will devote <u>little or no classroom time</u> to these assigned but self-explanatory materials)
	11	Ch. 3	<b>Privileges:</b> Consent; plus (lightly) Self-Defense & Defense of Others
	12		Remainder of Privileges (skip <i>Bronkowski</i> , Authority of Law, and Discipline)
Sep	17		Catch-up (if necessary); Practice Exam; Review of Exam Technique
	18	Ch. 4	<b>Negligence:</b> History; Elements of Cause of Action; A Negligence Formula (skip <i>Lubitz</i> )
	19		Same: The Standard of Care -- (A) The Reasonable Prudent Person (skip <i>Robinson &amp; Bruenig</i> )
	21		Optional Class: TBA
Sep	24		Same: (B) The Professional (skip <i>Morrison &amp; Moore</i> ) (with carryover)
	25		Same: skim (C) Aggravated Negligence; read Rules of Law and Violation of Statute (skip <i>Stachniewicz &amp; Ney</i> ) through <i>Perry</i>
	26		Resume Violation of Statute with <i>Martin</i> and continue into Proof of Negligence through <i>Byrne</i> (skip <i>Joye, Ortega &amp; Jasko</i> )
Oct	1		Finish Negligence
	2	Ch. 5	<b>Causation in Fact:</b> Thru <i>Herskovits</i> (but skip <i>Gentry</i> )
	3		Same: Remainder of Cause in Fact (but skip <i>Daubert</i> )
Oct	8	Ch. 6	<b>Proximate or Legal Cause:</b> Through <i>Wagon Mound II</i> (skip <i>Bartolone</i> )
	9		Same: Through <i>Watson</i> (skip <i>Yun</i> )
	10		Same: Remainder of Legal Cause (skip <i>Fuller</i> )
Oct	15	Ch. 7	<b>Joint Tortfeasors:</b> Read only <i>Bierczynski, Bundt, Cox, Elbaor, Knell, Slocum &amp; Bruckman</i> (read for comprehension of the concepts, with lesser concern for mechanical options available in different jurisdictions)
	16	Ch. 8	<b>[Limited] Duty of Care:</b> Read only Failure to Act (skip <i>Tarasoff</i> ); Emotional Distress
	17		Same: Unborn Children, <b>plus ...</b>
		Ch. 9	<b>Owners and Occupiers of Land:</b> Outside the Premises
Oct	22		On the Premises – (A) thru (C) (skip <i>Whelan</i> ); skim (D); read (E) (i.e., <i>Rowland</i> ); skim Lessor and Lessee (skip <i>Kline</i> )
	23	Ch. 10	<b>Damages:</b> Through Personal Injuries; skim Physical Harm to Property
	24		Same: Remainder of Damages (skip <i>Exxon Shipping</i> ), <b>plus ...</b>
		Ch. 11	<b>Survival/Wrongful Death:</b> Read <i>Murphy</i> and <i>Moragne</i> , in that order; ignore state legislation (we will only “hit the highlights” of this chapter)

Oct	29 30 31	Ch. 12	<b>Defenses:</b> Through <i>Seigneur</i> Same: Through <i>Freehe</i> Finish Defenses (skip <i>Zellmer &amp; Riss</i> )
Nov	5 6 7	Ch. 13 Ch. 14 Ch. 15	<b>Vicarious Liability:</b> Read only the first three sections (through <i>Popejoy</i> ) <b>Strict Liability:</b> Read only from <i>Rylands</i> to end (skip <i>Indiana Harbor</i> ) <b>Products Liability:</b> Read 745-748 (incl. 422-425), skim 749-760, read 760-766
Nov	12 13 14	<b>SPECIAL</b>	Same: Read 766-771, then 778-786, then 771-778, then 786-794 Same: Read 799-807, 817-832 <b>Deceptive Trade Practices Act:</b> Class by Dean Alderman
Nov	19 20 21	Ch. 16	<b>Nuisance:</b> Read all of chapter but <i>Morgan and Boomer</i> Work on outlines <i>and read ahead for next week!</i> No class (Thanksgiving Holiday) (but next week is a <b>BIG</b> week!)
Nov	26  27 28	Ch. 17   Ch. 18	<b>Defamation:</b> Read only pp. 864-869, 871 ("Pleading Defamation") - 876, 886-893 (skip "Libel Per Se and Libel Per Quod" on 893), 893-896, jump ahead to 959-962, 968 (note 11 only) (plus hypo from instructor) Same: Read only pp. 905-916, 929-943, 969-975 <b>Privacy:</b> Read through 1014 only (i.e., omit <i>Hustler</i> at end) (note that this assignment involves only four cases but that they are <u>major</u> cases, which suggests reading them earlier than the morning of class!)
Dec	3 4 5		No Class (submit review questions by 5 PM) Practice Exam #2 <b>General Review Session:</b> Please submit questions via e-mail <u>by Monday 5:00</u> so that we can organize the review better. <i>No substantive questions will be answered after today's class.</i>
Dec	12/W	9:00 - ???	<b>Final Examination (room assignment t.b.a. by administration)</b>

### NOTES

1. The assigned course book is Prosser, Wade & Schwartz, TORTS (12<sup>th</sup> ed. 2010). If in doubt about an assignment, e-mail me as quickly as you spot the issue. If a change needs to be made, I will e-mail the entire class immediately.
2. My contact information is: [cjoyce@uh.edu](mailto:cjoyce@uh.edu) and 713.743.2127 (office: TUII 201C). I am happy to receive any question anytime (including after class and via e-mail). Normally, if the answer would be of interest to others, I will repeat any response at the next class meeting.
3. I enforce the 80% attendance rule. Class participation, when called upon, is required; volunteering (at an appropriate level) is optional but appreciated. Although I normally do so relatively infrequently, I reserve the right to consider total performance, including class participation (positive or negative), in the final grade. Note that Friday make-up classes, per UHLC policy, are a possibility.
4. The objectives of the course include providing an introduction to legal history and culture, teaching the structure and substance of torts in a comprehensive manner, considering relevant ethical and professional questions, and integrating doctrine with analytical and practical skills needed for practicing law.
5. ~~Fall 2008: Laptops are permitted in the classroom for purposes of class preparation and note-taking only. Other uses of laptops (e.g., Facebook, e-mail, shopping, surfing) are distractions to your classmates and will be treated as violations both of these instructions and of the Honor Code.~~ Fall 2012: No laptops in class, please.
6. The faculty, staff and administration of the Law Center want to provide every reasonable accommodation to students with disabilities, including learning disabilities. For detailed information, please consult the disabilities handbook. If you have special needs, contact Student Services for arrangements.