

**TORTS**  
**Fall 2017 Target Schedule**  
**(Revised 08/21/17)**

Aug	21	Ch. 1	<b>Development of Liability Based Upon Fault:</b> General Administrivia, plus begin Chapter 1 text and cases
	23		Exam Administrivia, plus Finish Development of Liability Based on Fault
	24	Ch. 2	<b>Intentional Interference with Person or Property:</b> Intent (read <i>Spivey</i> handout instead of <i>Wagner</i> but also read notes after <i>Wagner</i> )
Aug	28		Same: Battery; Assault; False Imprisonment (skip <i>Hardy</i> , <i>Enright</i> & <i>Whittaker</i> ) (probably with carryover to next class)
	30		Same: Intentional Infliction of Emotional Distress (skip <i>Slocum</i> )
	31		Remainder of Intentional Torts (skip <i>Rogers</i> & <i>CompuServe</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)
Sep	4		<b>No Class (Labor Day)</b>
	6	Ch. 3	<b>Privileges:</b> Consent; plus Self-Defense & Defense of Others
	7		Remainder of Privileges (skip <i>Bronkowski</i> , Authority of Law, and Discipline but read Justification)
Sep	11		Catch-up (if necessary); <b>Practice Exam #1</b> ; Review of Exam Technique
	13	Ch. 4	<b>Negligence:</b> History; Elements of Cause of Action; A Negligence Formula (skip <i>Lubitz</i> )
	14		Same: The Standard of Care -- (A) The Reasonable Prudent Person (skip <i>Robinson</i> & <i>Bruenig</i> )
Sep	18		Same: (B) The Professional (skip <i>Morrison</i> & <i>Moore</i> ) (with probable carryover)
	20		Same: skim (C) Aggravated Negligence; read Rules of Law and Violation of Statute (skip <i>Stachniewicz</i> & <i>Ney</i> ) through <i>Perry</i>
	21		Negligence through <i>Byrne</i> (skip <i>Joye</i> , <i>Ortega</i> & <i>Jasko</i> ) (plus read <i>Ybarra</i> handout rather than <i>Cruz</i> & <i>James</i> )
Sep	25		Finish Negligence
	27	Ch. 5	<b>Causation in Fact:</b> Thru <i>Herskovits</i> (but skip <i>Gentry</i> )
	28		Same: Remainder of Cause in Fact (but skip <i>Daubert</i> )
Oct	2	Ch. 6	<b>Proximate or Legal Cause:</b> Through <i>Wagon Mound II</i> (skip <i>Bartolone</i> )
	4		Same: Through <i>Watson</i> (skip <i>Yun</i> )
	5		Same: Remainder of Legal Cause (skip <i>Fuller</i> )
Oct	9	Ch. 7	<b>Joint Tortfeasors:</b> Read only <i>Bierczynski</i> , <i>Bundt</i> , <i>Cox</i> , <i>Elbaor</i> , <i>Knell</i> , <i>Slocum</i> & <i>Bruckman</i> (read for comprehension of the concepts, with lesser concern for mechanical options available in different jurisdictions)
	11	Ch. 8	<b>[Limited] Duty of Care:</b> Read only Failure to Act (skip <i>Commonwealth</i> , <i>Peterson</i> & <i>Tarasoff</i> ); Emotional Distress
	12		Same: Unborn Children, <b>plus</b> ...
	DOUBLE CLASS	Ch. 9	<b>Owners and Occupiers of Land:</b> Outside the Premises, followed by a short break <b>before</b> ... 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> )
Oct	16		<b>No Class</b> (class made up in advance by “double* session last Thursday)
	18	Ch. 10	<b>Damages:</b> Through Personal Injuries; skim Physical Harm to Property
	19		Same: Remainder of Damages (skim both <i>Campbell</i> and <i>Exxon Shipping</i> but read nn. 1, 4, and 11 following them), <b>plus</b> ...
		Ch. 11	<b>Survival/Wrongful Death:</b> Read <i>Murphy</i> and <i>Moragne</i> , in that order; ignore the state legislation examples (we will only “hit the highlights” of this chapter)

Oct	23 <b>DOUBLE CLASS</b> 25  26	Ch. 12	<b>Defenses:</b> Through <i>Seigneur</i> , followed by a short break <b>before . . .</b> Same: Through <i>Blackburn</i>  Finish Defenses, beginning with <i>Teeters</i> (all, but skip <i>Zellmer</i> , skim <i>Clarke</i> but read the notes to it, and skip <i>Riss</i> and <i>DeLong</i> ) <b>No Class</b> (class made up in advance by “double” session on Monday)
Oct Nov	30 1 2	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 767-770 (incl. 428-432), barely skim 770-781, read 781-791
Nov	6  8  9	   <b>SPECIAL</b>	Same: Read 799-807, then 792-799, then 807-816 (with almost certain carryover) Same: Read 816-829, note topic of 829-831, read 831-835, 839-846, skim 846-850 <b>Deceptive Trade Practices Act:</b> Special Class by Professor McElvaney
Nov	13 15  16  19 Sun	Ch. 16 Ch. 17  Ch. 18  NLT 5 PM	<b>Nuisance:</b> Read all of chapter but <i>Morgan</i> <b>Defamation:</b> Read 879-884, 887-892, 902-903, 905-912, then skim <u>974-978 and 984 n.10</u> , then go back and read 920-931 <b>Privacy:</b> Read only <i>Dickerson</i> handout, <b>plus . . .</b> <b>Practice Exam #2</b> <b>Submit review questions</b> for final class (see assignment for 11/20)
Nov	20   22/23		<b>General Review Session:</b> Please submit questions via e-mail <u>by 5 p.m. on Sunday, November 19</u> , so that we can organize the review better. <i>No substantive questions will be answered after today's class.</i> <b>No Class (Thanksgiving Holiday)</b>
Dec	???	1:00-???	<b>Final Examination (classroom t.b.d. by UHLC administration)</b>

### NOTES

1. The assigned course book is Prosser, Wade & Schwartz, TORTS (13<sup>th</sup> ed. 2015). 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). As to office hours, I am happy to receive any question anytime (especially directly after class, when we all have open on our schedules, and via e-mail). If the answer would be of interest to others, I will repeat any response at the next class meeting.
3. I enforce the ABA's 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 2017: No laptops in class. Thanks.
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.
7. Counseling and Psychological Services (CAPS) can help students who are having difficulties managing stress, adjusting to the demands of a professional program, or feeling sad and hopeless. You can reach CAPS ([www.uh.edu/caps](http://www.uh.edu/caps)) by calling 713-743-5454 during and after business hours for routine appointments or if you or someone you know is in crisis. No appointment is necessary for the “Let's Talk” program, a drop-in consultation service at convenient locations and hours around campus. [http://www.uh.edu/caps/outreach/lets\\_talk.html](http://www.uh.edu/caps/outreach/lets_talk.html)