

**TORTS**  
**Spring 2014 Target Schedule**  
**(Revised: 3/3/2014)**

Jan	13	Ch. 1	<b>Development of Liability Based Upon Fault:</b> General Administrivia, plus begin Chapter 1 text and cases
	14		Exam Administrivia, plus Finish Development of Liability Based on Fault
	15	Ch. 2	<b>Intentional Interference with Person or Property:</b> Intent
Jan	20		No Class (MLK Day)
	21		Resume Intentional Interference: Battery; Assault; False Imprisonment (skip <i>Hardy, Enright &amp; Whittaker</i> ) (probably with carryover to next class)
	22		Same: Intentional Infliction of Emotional Distress (skip <i>Slocum</i> )
Jan	27		Remainder of Intentional Torts (skip <i>Rogers &amp; 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)
	28	Ch. 3	<b>Privileges:</b> Consent; plus (lightly) Self-Defense & Defense of Others
	29		Remainder of Privileges (skip <i>Bronkowski</i> , Authority of Law, and Discipline but read Justification)
Feb	3		Catch-up (if necessary); Practice Exam #1; Review of Exam Technique
	4	Ch. 4	<b>Negligence:</b> History; Elements of Cause of Action; A Negligence Formula (skip <i>Lubitz</i> )
	5		Same: The Standard of Care -- (A) The Reasonable Prudent Person (skip <i>Robinson &amp; Bruenig</i> )
Feb	10		Same: (B) The Professional (skip <i>Morrison &amp; Moore</i> ) (with carryover)
	11		Same: skim (C) Aggravated Negligence; read Rules of Law and Violation of Statute (skip <i>Stachniewicz &amp; Ney</i> ) through <i>Perry</i>
	12		Negligence through <i>Byrne</i> (skip <i>Joye, Ortega &amp; Jasko</i> )
Feb	17		Finish Negligence
	18	Ch. 5	<b>Causation in Fact:</b> Thru <i>Herskovits</i> (but skip <i>Gentry</i> )
	19		Same: Remainder of Cause in Fact (but skip <i>Daubert</i> )
Feb	24	Ch. 6	<b>Proximate or Legal Cause:</b> Through <i>Wagon Mound II</i> (skip <i>Bartolone</i> )
	25		Same: Through <i>Watson</i> (skip <i>Yun</i> )
	26		Same: Remainder of Legal Cause (skip <i>Fuller</i> )
Mar	3	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)
	4	Ch. 8	<b>[Limited] Duty of Care:</b> Read only Failure to Act (skip <i>Tarasoff</i> ); Emotional Distress
	5	SPECIAL	<b>CONTRACTS AT 6:00</b> (no Torts tonight)
Mar	10-12		<b>Spring Break</b>
Mar	17	Ch. 9	Resume Chapter 8: Unborn Children, <b>plus</b> ...
	18		<b>Owners And Occupiers of Land:</b> Outside the Premises <b>Ch 6:00 CLASS – On the Premises:</b> (A) thru (C) (skip <i>Whelan</i> ); skim (D); read (E) (i.e., <i>Rowland</i> ); skim Lessor and Lessee (skip <i>Kline</i> )
		Ch. 10	<b>7:30 CLASS – Damages:</b> Through Personal Injuries; skim Physical Harm to Property
	19	Ch. 11	Same: Remainder of Damages (skip <i>Exxon Shipping</i> ), <b>plus</b> ...
			<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)

Mar	24 25  26	Ch. 12	<b>Defenses:</b> Through <i>Seigneur</i> <b>6:00 CLASS</b> -- Same: Through <i>Freehe</i> <b>7:30 CLASS</b> -- Finish Defenses (skip <i>Zellmer &amp; Riss</i> )
Mar Apr	31 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 745-748 (incl. 422-425), skim 749-760, read 760-766
Apr	7 8 9	  <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> Special Class by Dean Alderman
Apr	14 15  16	Ch. 16 Ch. 17  	<b>Nuisance:</b> Read all of chapter but <i>Morgan</i> and <i>Boomer</i> <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
Apr	21  22 23	Ch. 18   	<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! T.B.D. Practice Exam #2; begin preparing questions for Monday
Apr	28		<b>General Review Session:</b> Please submit questions via e-mail <u>by Friday 5:00</u> so that we can organize the review better. <i>No substantive questions will be answered after today's class.</i>
May	6/Tu	6:00-???	<b>Final Examination (location t.b.d.)</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 2014: 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.