

Readings for the week of January 13-15

(to be covered in roughly this order)

[CB = Witt & Tani casebook; Supp. = supplementary reading; all Supp. and Restatement readings are available on Canvas]

Introduction: What Is Tort Law? What Are Its Goals?

Principles and Institutions (CB 1-4)

“Danger at the Ballpark” (Supp.)

Vosburg v. Putney (CB 4-6)

The Anatomy of a Torts Case (CB 6-8)

The Pervasiveness of Settlement (CB 8-10)

The Size of the Torts System (CB 10-13)

Accident Rates and the Deterrence Goal (CB 14-18)

Expressing Moral Judgments and Correcting Injustice (CB 18-19)

Liability for Intentionally Inflicted Harm:

Battery

Review *Vosburg*

Restatement (3d.) (Liability for Physical and Emotional Harm) § 1: Intent

Restatement (2d.) § 13 Battery: Harmful Contact

Garratt v. Dailey and Notes 1, 4, 5 (CB 19-22, 24-28)

Battery for the Era of #MeToo: CB 29-30

Offensive Battery

Restatement (2d.) § 18 Battery: Offensive Contact

Fisher v. Carrousel Motor Hotel & notes, CB 46-49

Assault

I. de S. and Wife v. W. de S. & notes (CB 49-51)

Restatement (2d.) § 21 Assault

Restatement (2d.) § 24 What Constitutes Apprehension

Speicher v. Rajtora & note (CB 52-53)