I. General Considerations

A. Vicarious Liability
   1. Respondeat Superior (vs. Independent Contractor)
   2. Partners
   3. Parent for Child

B. Immunities
   1. Governmental
   2. Charitable
   3. Familial

II. Intentional Torts

Intent:
   1. Purpose to cause a particular result
   2. OR Substantial Certainty Result will occur

A. Battery—Volitional Act
   a. Intent to Cause Harmful or Offensive Contact (unpermitted)
   b. H or O Contact Occurs

B. Assault—Act
   a. Intent to cause Imminent App of H or O Contact
   b. Cause H or O Contact

C. False Imprisonment
   a. Intent to confine
   b. Cause Actual confinement
   c. Awareness by V

D. IIED
   a. Intentionally or Recklessly
   b. Extreme or Outrageous Behavior
   c. Cause Severe emotional distress

E. Trespass to Land—Intentionally Enter Another’s Land
   DO NOT NEED TO KNOW it’s land of another
F. Trespass to Chattels—Intentionally interfere with use of chattel

G. Conversion—Intentionally interfere with use of chattel to a degree that seriously interferes with right

Defenses:

Consent, Self-Defense (others, property),

Shopkeeper False Imp

III. Negligence

A. Duty (affirmative duties to act, common carriers)
B. Breach
C. Causation
   1. Actual
   2. Proximate (foreseeability, fairness)
D. Damages

Defenses: Contributory Neg, Assume Risk, Comparative Fault

Negligence Per Se (Statute)

1. Intent to protect from specific harm
2. Intent to protect specific class of people

Res Ipsa Loquitur

IV. Products Liability (Negligence, Strict Liability main theories)

A. Manufacturing Defect
B. Design Defect
C. Failure to Warn

V. Strict Liability (No Fault)

A. Animals
B. Ultrahazardous/Abnormally Dangerous Activities
VI. Nuisance—Unreasonable use substantially interferes my use

A. Private—individ
B. Public—affects public

Defenses: Coming to the nuisance.

VII. Harm to reputation/economic interests

A. Defamation (oral) & Libel (written “label”)
   a. False Statement of Fact (intent or negligent)
      i. Public Figure—Actual Malice
   b. Harm
      i. Per se—moral turpitude

B. Invasion of Privacy—4 types
   a. Intrusion into solitude
   b. Disclose embarrassing
   c. False Light Publicity
   d. Appropriate pic for commerce

C. Misrepresentation
   a. False fact
   b. Reliance
   c. Loss