

Torts I

Western State College of Law



Instructor Information

- **Instructor:** Franco Torres, Esq.
- **Email:** ftorres@wsulaw.edu
- **Office Hours:** Mondays and Fridays @ 2:00 - 3:30P
 - Schedule an appointment here: <https://calendly.com/franco-torres-esq/office-hours>
 - If the available slots are full or you have a conflict with the available times, please contact me by email

Course Information

- **Course:** Torts I
- **Section A:** Tue/Thu 3:30–4:50 PM
- **Section C:** Mon 6:30–9:20 PM
- **Textbook:** Vetri, Levine, Vogel, Gassama and Suzuki, Tort Law and Practice (6th ed. 2020)

Course Description

This course provides a comprehensive introduction to the principles of tort law. Students will learn about intentional torts, negligence, strict liability, and related defenses. The course emphasizes case analysis, legal reasoning, and the application of tort law principles to real-world scenarios. Students will also hone their legal writing skills.

Course Learning Objectives

The learning objectives for Torts I include both mastery of skills and doctrinal

knowledge. Below you will find a list of key skills that will be practiced and developed, and an outline of the areas of doctrinal coverage. Basic mastery of these skills and a complete understanding of these doctrinal areas is necessary to earn a grade consistent with good standing.

Skills:

- **Issue Spotting:** You will be able to identify the appropriate legal question arising out of a fact pattern.
- **Rule Statement:** You will be able to state an accurate paraphrase of applicable rules, including appropriate legal terms of art.
- **Holdings:** You will be able to develop broad and narrow holdings for all cases.
- **Rule Interpretation and Application:** You will be able to interpret and apply a rule to a hypothetical set of facts, recognizing the different approaches required by different types of rules.
- **Case Synthesis and Application:** You will be able to apply and distinguish cases in relation to a hypothetical set of facts, with appropriate explanation of significance—i.e., the relevance of the similarities and differences to the outcome of the dispute.
- **Making Policy-Based Arguments:** You will be able to identify the public policies of a precedent case or rule, to explain the policy implications of a legal controversy, and to use those policies in support of arguments for particular outcomes of the legal controversies.

Grading Breakdown

- Final Exam: 50%
- Midterm Exam: 35%
- UWorld Quizzes: 20%
- Class Participation: 5%

Course Policies

- Attendance: Regular attendance is expected. More than three unexcused absences may negatively impact your grade.
- Participation: Active participation in class discussions is encouraged and will be factored into your final grade.
- Academic Integrity: All work submitted must be your own. Any instances of plagiarism or academic dishonesty will result in serious consequences.

- Accommodations: Students with disabilities who need accommodations should contact the Disability Services office at [Insert Contact Information Here].
- Use of AI Tools: The use of AI tools (e.g., ChatGPT) is permitted for research purposes only. Any direct use of AI-generated content in submitted assignments is prohibited and will be considered a violation of the academic integrity policy. All work must be your own original thought and writing.
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Learning and Reading Assignments

For each class, you will be required to prepare the assigned reading before class. Preparation consists of reading the cases and other materials in the textbook and thinking about the material. **Preparation is essential for you to be able to understand class lectures and participate in class discussion.** I encourage you to brief all cases assigned, to highlight key language in the cases, and to make notes to yourself in the margins of the book so that you are better able to follow along with the lectures and discussion.

Quizzes. Quizzes will be administered **online via UWorld** and will consist of **MBE-style multiple-choice questions** based on the topics covered in class. These quizzes are designed to reinforce your understanding of the material and build familiarity with bar exam-style questions.

- **Due Date:** Each quiz is due **by 11:59 PM on Sunday** of the corresponding week.
- **Access:** Quizzes may be completed **anytime before the deadline. Late submissions will not be accepted** without advance approval.
- **Format: Open-book** (textbook and class notes allowed).
- **Attempts:** Each quiz may be taken **only once**.

Quiz scores will count toward your final course grade.

Supplemental Videos. Throughout the syllabus, you will find curated video links—primarily from YouTube—that align with the topics we are covering each week. These videos are not a replacement for the assigned readings, nor are they required for credit. Instead, they are included as supplemental learning tools to support your understanding

of core torts concepts and to accommodate different learning styles, especially for students who benefit from visual and auditory reinforcement.

While watching these videos alone will not make you a successful law student, bar exam taker, or attorney, using them in conjunction with the assigned readings and class discussions can help you:

- Reinforce and visualize key doctrinal principles
- See how issues are framed in bar exam prep settings
- Experience concepts through animated explanations, examples, and case illustrations

You are not required to view them, and I will not be tracking whether you do. It's up to you to decide how and when to use these resources as part of your individual study plan. However, I encourage you to experiment with incorporating them into your weekly review to identify what methods work best for you.

Ultimately, your success in this course and beyond will depend on developing consistent, structured study habits that include reading, case analysis, outlining, practice, and feedback. The videos are simply one of many tools available to support that journey.

Class Format. The class will consist of a combination of lecture, Socratic questioning, problem-solving, and small group exercises. I will call on students at random to answer questions about the assigned reading. I expect students to be prepared to answer questions about the cases, including the facts, the issue(s) presented to the court, the rule of law announced by the court, the holding of the case, and the reasoning employed by the court. I also expect students to be prepared to discuss the policy implications of the cases.

Workload Expectation

It is estimated that, on average, the assigned reading and other classroom preparation should require six or more hours outside of class for each class session. This includes reading and briefing assigned cases, reviewing notes, outlining, completing assignments, and preparing for assessments. Consistent preparation is essential for your success in this course and in law school generally.

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Programmatic Learning Outcomes (PLOs)

At the end of their course of study, every student in this class should be able to demonstrate competency in the following areas:

1. Doctrinal Knowledge

- Students will be able to demonstrate knowledge of substantive and procedural law in Torts.

1. Practice Skills

- Students will be able to demonstrate the development of other law practice skills. Each student's chosen outcomes within this category will be varied based on individual interests, coursework, and work experiences.

1. Legal Analysis

- Students will be able to apply legal reasoning and analysis to solve problems. This includes:
 - Identifying relevant facts
 - Identifying and stating legal rules
 - Applying rules to facts
 - Reasoning to a conclusion

1. Legal Research

- Students will be able to locate relevant legal authority using a variety of book and electronic resources, and to properly cite to those authorities.

1. Communication

- Students will be able to communicate both orally and in writing in a manner appropriate to a variety of legal audiences and settings.

1. Client Sensitivity and Cultural Competency

- Students will be able to demonstrate sensitivity to clients' backgrounds and goals, and to cultural differences, which is particularly important given the diverse population of Southern California.

1. Professionalism

- Students will be able to demonstrate the development of professional skills, including the ability to work collaboratively, to exercise proper professional judgment, and to conduct themselves with civility in all professional contexts.

Weekly Schedule

Week 1: Introduction to Torts + Battery

- Readings
 - Read entire Syllabus
 - Vetri et al., pp. 1-15, 34-49, 665-668, 676-684
 - Cases
 - *White v. Muniz* (676)
 - *Villa v. Derouen* (678)
 - *Fisher v. Carrousel* (handout)
 - Videos
 - How I Learned to Succeed at a Top Law School:
<https://www.youtube.com/watch?v=T8-42QLYOes>
 - How to Create A Law School Outline:
<https://www.youtube.com/watch?v=v4RGdghsgnE>
 - How Briefing Cases Can Make You A Better Law Student:
https://www.youtube.com/watch?v=mk5-MUzp_4w
 - How to Create A Case Brief: <https://www.youtube.com/watch?v=v4RGdghsgnE>
 - What is Tort Law? https://www.youtube.com/watch?v=_ds1fruLg3c&t=17s
 - An Overview of Tort Law: Intentional Torts, Negligence, and Strict Liability:
<https://www.youtube.com/watch?v=f6TUiejBILE>
 - Assignments
 - None
 - Quizzes
 - None
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Week 2: Intentional Torts: Battery + Assault

- Readings
 - Vetri et al., pp. 687-689
- Cases
 - *McCracken v. Sloan* (handout)
 - *Leichtman v. WLW Jacor* (687)
 - *Hall v. McBryde* (689)

- Videos
 - Assault and Battery: <https://youtu.be/FF16pwvcEI0>
 - Intentional Torts — Battery & Assault: <https://youtu.be/mJpZtjCXYuw>
- Assignments
 - Problem Sets
 - Problems 7-18 p. 692
 - Problems 27-29 p. 693
 - Problems 2-8, 14 p. 695
- Quizzes
 - **UWorld:** Quiz #1 – Assault & Battery (15)

Week 3: Intentional Infliction of Emotional Distress

- Readings
 - Vetri et al., pp. 696 (bottom)-719
- Cases
 - *Brandon v. Cty of Richardson* (697)
 - *Alcorn v. Anbro* (709)
 - *Swenson v. Northern Crop Ins.* (711)
 - *Graham v. Guilderland Cent. Sch. Dist.* (713)
- Videos
 - How Do You Prove Emotional Distress in Tort Law? <https://www.youtube.com/watch?v=t5VsIIW0O8s>
 - What is Intentional Infliction of Emotional Distress? <https://www.youtube.com/watch?v=VD1Or69sX7g>
 - Intentional Infliction of Emotional Distress (IIED): <https://www.youtube.com/watch?v=AqiJoDMPyOA>
- Assignments
 - Problem Sets
 - pp. 719-721 - #1,4,5,8
- Quizzes
 - **UWorld:** Quiz #2 - IIED (8)

Week 4: False Imprisonment + Other Intentional Torts - Part 1

- Readings

- Vetri et al., pp. 722-728, p. 782-783, p. 737-738 [note 9]
 - Cases
 - *Wal-Mart Stores v. Cockrell* (722)
 - *Creel v. Crim* (782)
 - *CompuServe v. Cyber Promotions* (handout)
 - *Intel Corporation v. Hamidi* (handout)
 - Videos
 - What is false imprisonment?
<https://www.youtube.com/watch?v=fkK9bgV31GE&t=1s>
 - Intentional Torts Privileges: Defenses of Persons and Property:
<https://www.youtube.com/watch?v=j8RPfT5Gjtk>
 - Assignments
 - Problem Sets
 - p. 728 - Problems #1, 4, 11
 - Quizzes
 - **UWorld:** Quiz #3 - Harm to Property (13)
-

Week 5: Other Intentional Torts + Privileges (Consent + Self-Defense)

- Readings
 - Vetri et al., pp. 739-742, 751-758
- Cases
 - *Hogan v. Tavzel* (739)
 - *Hellriegel v. Tholl* (740)
 - *O'Brien v. Cunard* (handout)
 - *Bradley v. Hunter* (751)
 - *Juarez-Martinez v. Deans* (753)
- Videos
 - Defenses Against Intentional Torts: https://youtu.be/stH_iC5uGkA
 - Self-Defense & Defense of Others + Property as Defenses to Intentional Tort Liability: <https://www.youtube.com/watch?v=oAXPGEqpyOM>
- Assignments
 - Problem Sets
 - pp. 758-9 - # 1,3,5,10,11
- Quizzes
 - None

Week 6: Privileges - Necessity + Mid-Term Review

- Readings
 - Vetri et al., pp. 764-767
- Cases
 - *Rossi v. Del Luca* (764)
 - *Vincent v. Lake Erie* (765)
- Videos
 - How to Study for Law Exams: https://www.youtube.com/watch?v=5gevKRzy_sk
 - IRAC Explained: <https://www.youtube.com/watch?v=A2DJFcIE4HM>
 - Secrets to Studying for Law School Finals:
<https://www.youtube.com/watch?v=iNcwdBe5zls>
 - Torts Exam Checklist: https://www.youtube.com/watch?v=j_Fg2CQK5G4
- Assignments
 - IRAC Exercises
 - STUDY FOR MIDTERM EXAM
- Quizzes
 - **UWorld**: Quiz #4 - Defenses to Physical Harm (19)

Week 7: MIDTERM + Introduction to Negligence

- Readings
 - Vetri et al., pp. 13-15, 819
 - p. 819 - "Historical Perspective"
- Cases
 - *Brown V. Kendall* (handout)
 - *Rudolph v. Arizona B.A.S.S. Fed'n.* (57)
- Videos
 - What is Negligence? <https://www.youtube.com/watch?v=mnPakaCc-Ys>
- Assignments
 - Post-Midterm Reflection Assignment
- Quizzes
 - None
- Mid-Term
 - Combination of multiple-choice questions and essays

- **Section A:** Midterm is on 9/23 & Readings are for 9/25
 - **Section C:** Midterm is during first half of class on 9/29 and readings are for the second half of class.
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Week 8: Duty of Reasonable Care: Policy Choices, the Learned Hand Formula, and Statutory Violations

- Readings
 - Vetri et al., pp. 74-76, 82-86, 92-98, 104-105 (notes 9-10), 124 [paragraph at top of page]
 - Cases
 - *Edwards v. Johnson* (74)
 - *Bashi v. Wodarz* (82)
 - *U.S. v. Carroll Towing* (92)
 - *O'Guin v. Bingham Cty* (handout)
 - *Wright v. Brown* (131)
 - Videos
 - The "Reasonable Person" Standard:
<https://www.youtube.com/watch?v=QjpGfzYkAEA>
 - Assignments
 - Respond to Hypothetical(s) Presented
 - Quizzes
 - **UWorld:** Quiz #5 - Duty of Care (21)
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Week 9: Duty of Reasonable Care: Custom + Res Ipsa Loquitor

- Readings
 - Vetri et al., 108-117, 145-146 (top), 150-156, 158-163
- Cases
 - *Trimarco v. Klein* (109)
 - *The T.J. Hooper* (115)
 - *Eaton v. Eaton* (151)
 - *Ybarra v. Spangard* (158)
- Videos
 - Res Ipsa Loquitor and Negligence Per Se:
<https://www.youtube.com/watch?v=Zfl1l5e2ug8>

- Negligence and the Standard of care:
<https://www.youtube.com/watch?v=JPxrCamHOI8>
 - Assignments
 - Respond to Hypothetical(s) Presented
 - Quizzes
 - **UWorld:** Quiz #6 - Res Ipsa Loquitor (10)
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Week 10: Limitations on Duty of Care : Policy, Landowner Liability and No Duty to Rescue

- Readings
 - Vetri et al., pp. 192-202, 215-226, 229-230, 244-250, 254-259 + Landowner Liability handout
 - Cases
 - *MacPherson v. Buick Motor Co.* (194)
 - *Rowland v. Christian* (217)
 - *Tarasoff v. Regents of Univ. of Calif.* (244)
 - *Dunkle v. Food Service East* (254)
 - Videos
 - Is there a duty to rescue someone?
<https://www.youtube.com/watch?v=bIZwLTbvl3s>
 - Duties of Landlords, Owners, and Possessors of Land:
<https://www.youtube.com/watch?v=WNDamJMQXkA>
 - Assignments
 - None
 - Quizzes
 - **UWorld:** Quiz #7 - Limitations & Special Rules on Liability (29)
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Week 11: Causation: Actual vs. Proximate

- Readings
 - Vetri et al., pp. 355-359, 419-435
 - Vetri et al., pp. 440-449, 461 [bottom]- 467
- Cases
 - *New York Cent. R.R. Co. v. Grimstad* (357)
 - *Corey v. Havener* (359)

- *Summers v. Tice* (419)
- *Hymowitz v. Eli Lilly & Co.* (422)
- *Brenner v. Am. Cyanamid Co.* (432)
- *Palsgraf v. Long Island R.R. Co.* (444)
- *McClenahan v. Cooley* (461)
- *Price v. Blaine Kern Artista, Inc.* (465)
- *In re Kinsman* (handout)
- Videos
 - Establishing Harm in Tort
Law: https://youtu.be/rUJ0JQBim9o?si=1o_INLI79f3tumVN
 - Actual v. Proximate Harm: <https://www.youtube.com/watch?v=SgaonIQNYoI>
 - “But For” v. Legal Causation:
<https://www.youtube.com/watch?v=TU53MBCb6Xw>
 - How to Analyze Actual & Proximate Causation:
<https://www.youtube.com/watch?v=Td3jK5Ebjj0&t=113s>
- Assignments
 - Respond to Hypothetical(s) Presented
- Quizzes
 - **UWorld:** Quiz #8 - Liability for the acts of others (13)
 - **UWorld:** Quiz #9 - Defenses to Negligence (12)

Week 12: Strict Liability

- Readings
 - Vetri et al., pp. 13 (Section 1.04 at [B][3]), 27-29, 819-834
- Cases
 - *Klein v. Pyrodyne Corp.* (822)
 - *Indiana Harbor Belt R.R. v. American Cyanamid Co.* (Handout)
 - *Siegler v. Kuhlman* (Handout)
 - *Langan v. Valicopters, Inc.* (Handout)
 - *Behrens v. Bertram Mills Circus Ltd.* (Video)
 - *Irvine v. Rare Feline Breeding Center* (Handout)
 - *DeRobertis v. Randazzo* (Handout)
 - *Collier v. Zambito* (Handout)
 - *Trager v. Thor* (Handout)

- Videos
 - Introduction to Strict Liability: <https://www.youtube.com/watch?v=bzhtFqh2Zwk>
 - Strict Liability Walkthrough: <https://www.youtube.com/watch?v=P1dWly7evIU>
 - *Behrens v. Bertram Mills Circus Ltd.*:
<https://www.youtube.com/watch?v=frYLhnhIU54>
- Assignments
 - None
- Quizzes
 - **UWorld**: Quiz #10 - Causation (24)
 - **UWorld**: Quiz #11 - Strict Liability (12)

Week 13: Products Liability

- Readings
 - Vetri et al., pp. 835-851, 855-858, 860-871, 890-899, 909-921, 929-936
- Cases
 - *Escola v. Coca-Cola Bottling Co. (concurring opinion)* (839)
 - *Greenman v. Yuba Power Products, Inc.* (843)
 - *Welge v. Planters Lifesavers Co.* (855)
 - *Leichtamer v. American Motors Corp.* (861)
 - *Barker v. Lull Engineering Co. (Handout)*
 - *Floyd v. Bic Corp.* (870)
 - *Soule v. General Motors Corp.* (894)
 - *Nowak v. Faberge U.S.A., Inc.* (909)
 - *Ramirez v. Plough, Inc.* (917)
 - *Bryant v. Hoffmann-La Roche, Inc.* (933)
- Videos
 - Introduction to Product Liability:
<https://www.youtube.com/watch?v=tr5RklN0mYo>
 - Design Defects: <https://www.youtube.com/watch?v=bx5GweRVy8Q>
 - Duty to Warn: <https://www.youtube.com/watch?v=xkCkAacugw0>
 - Warranties: <https://www.youtube.com/watch?v=anKOLXLNH3U>
 - Defense to Product Liability Actions:
<https://www.youtube.com/watch?v=VYrb016GXxA&t=6s>

- Consensual Cases and Product Liability: https://www.youtube.com/watch?v=-1_9FTjpztw
 - Assignments
 - Respond to Hypothetical(s) Presented
 - Quizzes
 - **UWorld:** Quiz #12 - Products Liability (31)
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Week 14: Defamation + Other Torts + Review + Exam Preparation

- Readings
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 - Review all materials
- Cases
 - *New York Times Co. v. Sullivan* (Handout) (Video)
 - *White v. Samsung Electronics America, Inc.* (Handout)
 - *Boomer v. Atlantic Cement Co.* (Handout)
 - *Prah v. Maretti* (Handout)
 - *Ultramares Corp. v. Touche* (Handout)
 - *Texaco, Inc. v. Pennzoil Co.* (Handout)
 - *Delaware & Hudson Railway Co. v. Consolidated Rail Corp.* (Handout)
 - Review all previously assigned cases
- Video
 - Defamation: <https://www.youtube.com/watch?v=P1dWly7evIU>
 - *New York Times Co. v. Sullivan*:
<https://www.youtube.com/watch?v=PzDJyYUxpzA>
 - Invasion of Privacy: <https://www.youtube.com/watch?v=WykG0QbvbbU>
 - Nuisance: <https://www.youtube.com/watch?v=Ij7uNOhoflM>
 - Other Intentional Torts: <https://www.youtube.com/watch?v=RexiORi7RxQ>
 - What Is a Law School Final Exam?
<https://www.youtube.com/watch?v=myTR65awYFM>
- Assignment
 - Finalize your study guides
 - Ask clarifying questions
 - STUDY FOR FINAL EXAM

- Quizzes
 - **UWorld:** Quiz #14 - Defamation & Invasion of Privacy (23)
 - **UWorld:** Quiz #15 - Nuisance, Misrepresentation & IIBR (26)

Disability Services and Accommodations

Western State College of Law provides accommodations to qualified students with disabilities. The Disabilities Services Office assists qualified students with disabilities in acquiring reasonable and appropriate accommodations and in supporting equal access to services, programs, and activities at Western State College of Law.

To seek reasonable accommodations, a student must contact Senior Assistant Dean Donna Espinoza, Student Services Director and Disabilities Services Coordinator, whose office is in the Library Building, Room 275-B. Dean Espinoza's phone number and email address are: (714) 459-1117; despinoza@wsulaw.edu. When seeking accommodations, a student should notify Dean Espinoza of her or his specific limitations and, if known, her or his specific requested accommodations. Students who seek accommodations will be asked to supply medical documentation of the need for accommodation. Classroom accommodations are not retroactive, but are effective only upon the student sharing approved accommodations with the instructor or professor. Therefore, students are encouraged to request accommodations as early as feasible with Dean Espinoza to allow for time to gather necessary documentation. If you have a concern or complaint in this regard, please notify Dean Espinoza; or please notify Dean Marisa Cianciarulo at mcianciarulo@wsulaw.edu or (714) 459-1168. Complaints will be handled in accordance with the College of Law's "Policy against Discrimination and Harassment."

Summary

This syllabus outlines the course structure, policies, and schedule for Torts I in Fall 2025. It includes important information about the instructor, course content, grading, and expectations for student participation and preparation. Students are encouraged to review this document carefully and refer to it throughout the semester.