

Early Bar Prep

Rules applicable in Week 3 Torts:

1. Negligence elements:
 - a. Duty
 - b. Breach
 - c. Actual (but for causation) and proximate (foreseeable injury) cause
 - d. Damages
2. A child engaging in a potentially dangerous activity is required to conform to the same standard of care as adults engaging in the activity
 - a. Like snowmobiling
 - b. Breach if child fails to act as a reasonably prudent person (adult) engaging the activity.
3. Landowners have different duties, depending on condition of the land and who is on their land.
 - a. Landowner owes a duty to discovered or anticipated plaintiff to warn of or make safe highly dangerous artificial conditions that plaintiff is unlikely to discover
4. No duty to come to the aid of another absent a special relationship.
 - a. If someone comes to the aid of another, must exercise due care in providing assistance and must not leave plaintiff in a worse position.

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