Torts MJ Mid-Term September 25, 2007

Halloween parties have a way of getting out of hand.

First, a group of students who knew that Allen Amoroso <u>hated</u> green and would be at the party, all joined together and agreed to wear as much green as possible.

Austin Buck spied Dash Johnson, the step-father who has abused him for many years. Fearful because Dash was again drunk, even though he was at quite a distance and Austin had no reason to think Dash had seen him, Austin fired a gun at him. Unfortunately, Dennis Deleon was just walking up from the parking lot and was hit by the bullet.

Francesco Gettel noticed a ladder leaning against a roof. Fearing it would trip someone, or, worse, someone might try to climb it, he removed it. He didn't realize that Lott Council was on the roof trying to repair a leak because the prediction was for heavy rain later that night.

When he was ready to descend and found the ladder missing, he figured for such a short distance (one storey), he could easily land in the boxwood hedge without injury. Unfortunately, his foot caught in the gutter, and he landed head first in the rose bushes. He suffered a broken ankle and numerous cuts and scratches from the thorns. One cut became infected, and ultimately he lost the feeling in the little finger on his left hand.

Panella McKeone had gender identity issues. S/he dressed and presented her/himself as a man and dated women. Rengers Pryor and Toney Uses, both with criminal records, found out the truth. They dragged her to the parking lot of bar, exposed her, beat her, and raped her. They warned her they would kill her if she reported the rapes, but she reported them anyway. Sheriff Walker Verkuilen took her to the same parking lot to interview her the same day. His interview was described later as "crude and dehumanizing," merely showing "prurient interest in the details." Neither rapist was arrested. Later the rapists did beat Panella to death.

Panella's mother, Mrs. Watson, a widow who had remarried, was one night at the bar where the events had taken place. She recognized the rapists/murderers. She bought drinks, put some poison in each one, then smilingly took them to the rapists/murderers. Smilingly, she said, "Panella was a troubled girl, and I want to show you I have no hard feelings that you set her free from her inner pain. Of course, I wish you had done it less violently, but I've bought you a round of drinks to show I forgive you." Astonished (and a long way from sober), the villains thanked her and challenged each other to drink it all in one big gulp. All of them died a painful, wretching death within thirty minutes.

Describe the intentional torts that we studied and likely defenses that we studied for each. Remember, do not discuss an issue not covered in the course, even if you know about it from some other source. Remember to reach a conclusion—how SHOULD the claim end? Don't forget, you are graded on your ability to EXPLAIN how you reach your conclusion.