Torts II – Law 5061  
Spring 2010  
Professor Paul J. Zwier  
Tuesdays and Thursdays  
1:15-2:30 pm

Required Materials:

Supplementary materials will be distributed from time to time.

Attendance, Preparation, and Participation Policies:

Attendance is required. Students are expected to attend each class prepared to discuss material assigned. Any student may be called upon any day. The professor reserves the right to refuse to permit any student who has missed three or more classes to take the final exam. A student is deemed absent for one-half of class if that student arrives more than 10 minutes late or leaves class early.

Laptop Policy:

Students are permitted to use personal computers for note-taking during class. Any other use of the computer during class—including accessing the Internet, e-mail, or instant messaging— is expressly prohibited. Students disregarding this prohibition will be precluded from bring a computer to class.

Grading Policy:

Your performance this spring semester will be 50% of your Torts grade for the year. This semester’s portion of your grade will be based on your grade on the final examination. The examination will be based on a exam with two parts: one part will be 60 minute in class, multiple choice and will be closed book: one part will be an open book, open notes, two hour, in class essay exam. No commercial outlines or treatises can be used during either part of the exam.

Office Hours:

Thursday, 2:30—5:00 p.m.; or by appointment. As soon as I get an office number for office hours at Georgia State, I will give that to you. I am also happy to see people who just drop by my office if I can stop what I am doing. My Emory law school office is Gambrell 345 (in the International and Comparative Law Suite.) My Emory phone is 404-712-2358. One of the best ways to get in touch with me and ask questions is via e-mail. It is common courtesy to take the following steps to ensure that our time is well spent: before asking a question please reread your notes from class, reread the case the
question is based on, and check amongst your study group to see if you can resolve the issue that way. I especially like to help with questions that come from study groups. My e-mail is pzwier@law.emory.edu.

Make-up Exams:

All arrangements for make-up exams must be made through the Associate Dean for Academic Affairs.

The following course syllabus contains a general plan for the second semester. At the end of each class I will tell you where you should progress in the reading before the next class. If I don’t designate it, please stay about 30 pages ahead of where we leave off in class.

Syllabus

Chapter VIII: Duty of Care

Week 1  January 12* Dbl Class 403-449  Privity, Failure to Act, Econ Loss

January 14  No Class (and no office hours)

Chapter IX: Owners and Occupiers of Land

Week 2  January 19* Dbl Class 450-479  Emot. Dist, Unborn Children

January 21 No Class (and no office hours)

Week 3  January 26 and 28  480-518  Outside Premises, OTP, Leasors

Chapter X

Week 4  February 2 and 4  519-564  Damages, Punitives

Chapter XII: Plaintiff’s Conduct

Week 5  February 9 and 11  586-614  Contrib., Comp, Assumpt of Risk,

Week 6  February 16* Dbl Class 614-659  Stat of Lim, Repose, Immunities

February 18  No Class (and no office hours)

Chapter XIII: Vicarious Liability and Chapter XIV: Strict Liability

Week 7  February 23 and 25  660-678, 686-691
Chapter XIV cont. and Chapter XVI Nuisance

Week 8   March 2 and 4   692- 717, 799-828   Lim of SL, Nuisance

Week 9   Spring Break

Chapter XV: Products Liability

Week 10   March 16 and 18   718-764   Development of Theories, Mfg. Defects, Design and Warnings

Week 11   March 23 and 25   765-798   Proof, Defenses, Other Defendants, Legis.

Chapter XVII: Defamation

Week 12   March 30 and April 1   829-869   Libel and Slander, Publication

Week 13   April 6 and 9   869-907   Actual Malice, Private Figures, Speech,

Week 14   April 13 and 15   907-938   Opinion, Privilege, Remedies

Week 15   April 23 and 25   Catch up and Review

**Final Exam: April 27**