

How to Read a Case

Hard copies of Reading Assignments 01 are available at the back of the room. Please pick up a copy.

Finishing Our In-Class Exercise

The Questions

Why should this defendant be held liable or not held liable?

What remedy does the defendant owe Ms. Hammontree?

What would you like to know that wasn't in the fact pattern? Why?

The Driver

Why should this defendant be held liable or not held liable?

What remedy does the defendant owe Ms. Hammontree?

What would you like to know that wasn't in the fact pattern? Why?

The Doctor

Why should this defendant be held liable or not held liable?

What remedy does the defendant owe Ms. Hammontree?

What would you like to know that wasn't in the fact pattern? Why?

The Car Manufacturer

Why should this defendant be held liable or not held liable?

What remedy does the defendant owe Ms. Hammontree?

What would you like to know that wasn't in the fact pattern? Why?

Today's *Agenda*

Hammontree v. Jenner

ENORMOUS DISCLAIMER!

Before you begin:

1. Connect with your purpose.

- 2.

There is no escape.

**Stress is a very bad, no good
motivator.**

**Purpose connects our daily work
with our deepest values.**

Before you begin:

1. Connect with your purpose.
2. Discern your goal

Goals determine what we pay attention to.

Goals when reading a case

1. Grasp the internal logic and mechanics of the case.
2. Synthesize within a broader context.

Why read cases?

Gaps, Contradictions, and Ambiguity

Internal logic and mechanics of a case

1. Procedural posture
2. Legal question(s)
3. Relevant facts
4. Holding
5. Reasoning(s) behind the holding

Aside: How to take notes

Internal logic and mechanics of a case

1. Procedural posture
2. Legal question(s)
3. Relevant facts
4. Holding
5. Reasoning(s) behind the holding

Holding

Three lines of reasoning

1. Precedent binds us.
2. Analogy to products liability falls apart.
3. Analogous authority also binds us.