

Duty to Third Parties

Upcoming Schedule

Wed. Sept. 24 - Duty to Third Parties

Fri. Sept. 26 - Policy Bases for No Duty & Office Hours

Mon. Sept. 29 - Duty of Landowners and Occupiers

Wed. Oct. 1 - Midterm Review & Office Hours

Fri. Oct. 3 - No class

Mon. Oct. 6 - Midterm Exam

Midterm Review

Email me questions until 9am on Wednesday Oct. 1

Ask me questions in office hours after class on Oct. 1

I will not respond to substantive questions after Oct. 1

Midterm Format

3 hours

3 essay questions, 5000 character limit for each question

A duty to
exercise reasonable care

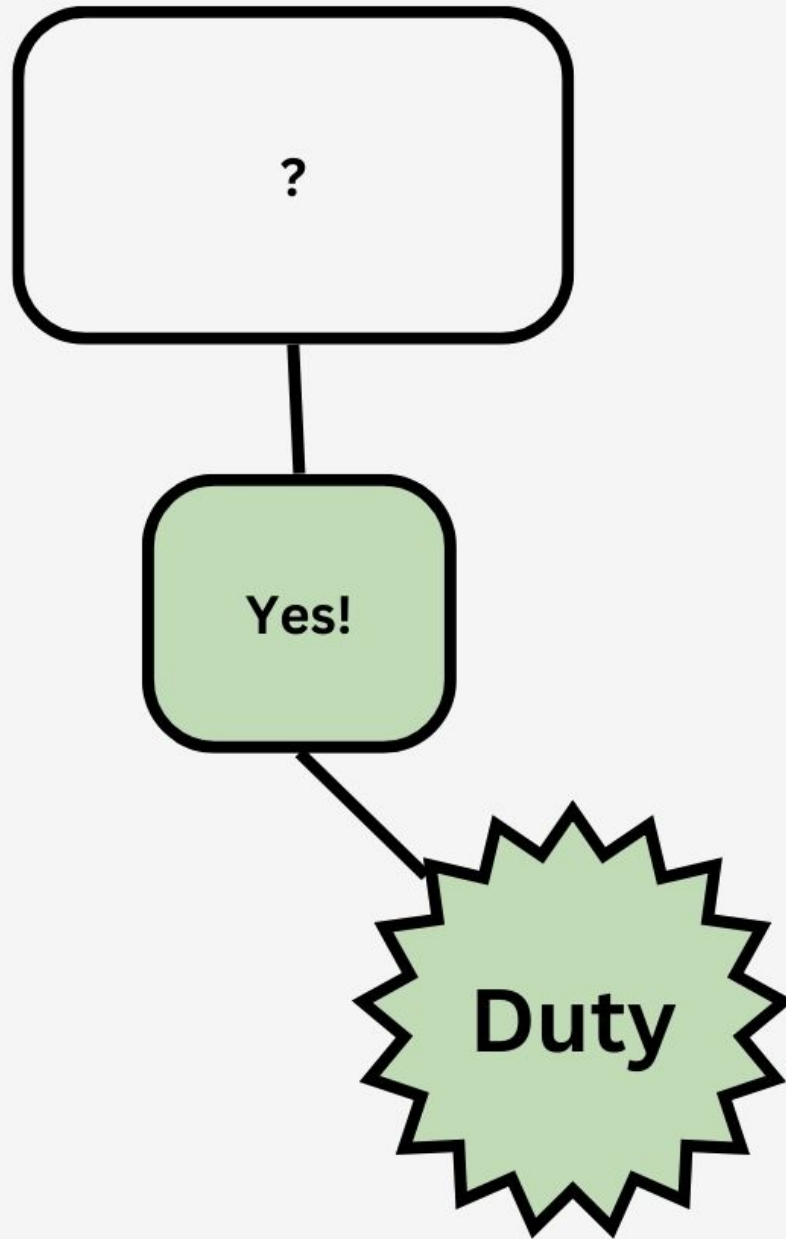
Harper v. Herman

“The Boat Owner in Shallow Water”

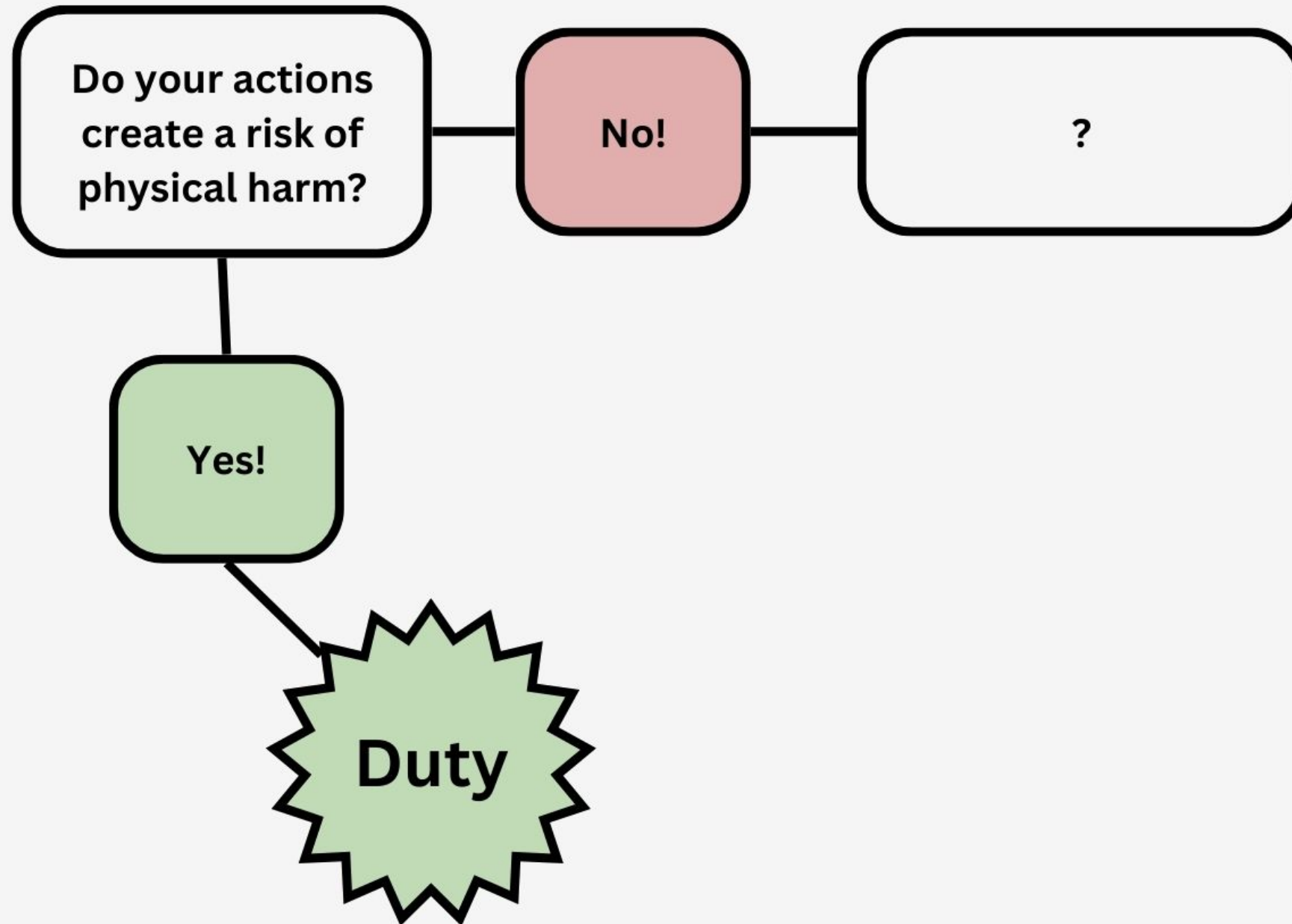
Farwell v. Keaton

“The Fatal Pickup Attempt”

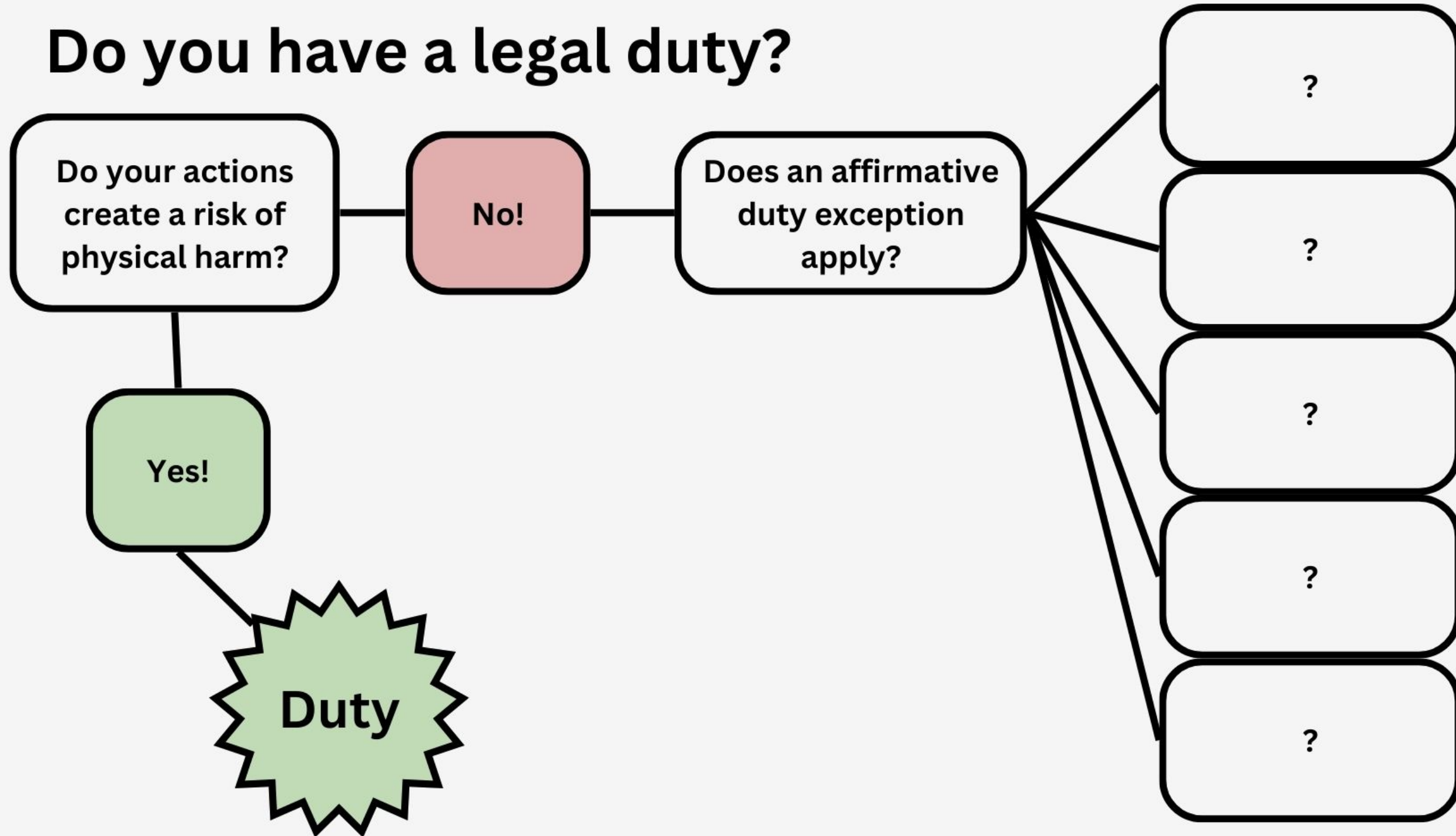
Do you have a legal duty?



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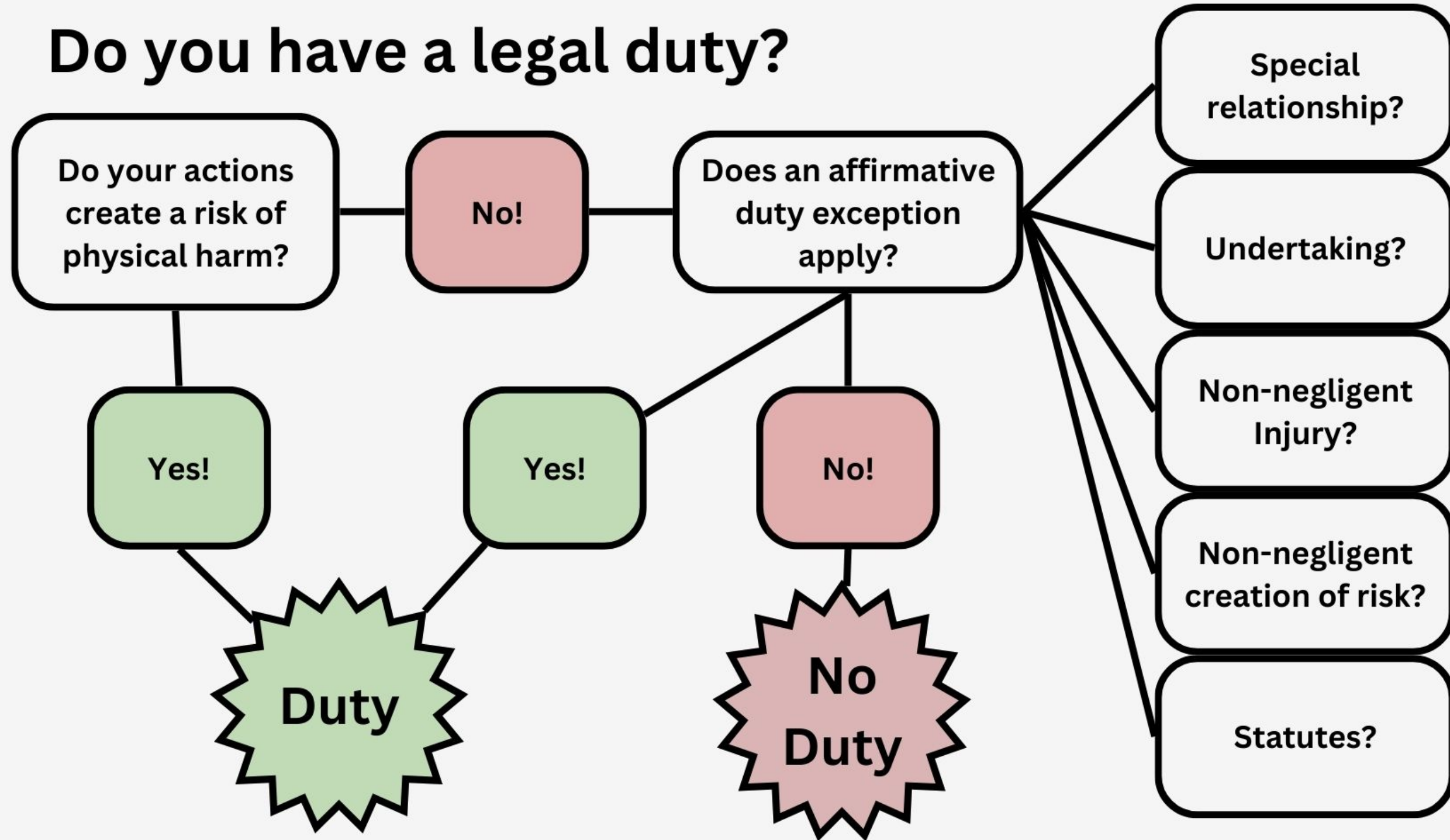
Union Pacific Railway v. Cappier

“The Railroad that Ran Over a Man and Let Him Die”

Maldonado v. Southern Pacific Transp. Co.

“Another Railroad that Ran Someone Over”

Do you have a legal duty?



Tarasoff v. Regents of the University of California

“The Psychiatrist Who Didn’t Warn the Murder Victim”

Randi W. v. Muroc Joint Unified School District

“The Alleged Sexual Predator’s Recommenders”

Rowland Factors

- foreseeability of harm
- certainty of plaintiff's injury
- connection between defendant's conduct and plaintiff's injury
- moral blame
- policy of preventing harm
- burden to defendant
- consequences to community
- availability of insurance

Do you have a legal duty?

