

PRODUCTS LIABILITY 2011

Room 204, 3:05 Mondays

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Class Participation is 15% of Final Grade;

Participation is based on 13 active class periods so

Absences will affect Participation grades; Note Handbook Rule 3.02

Text: Owen et al 5th Ed. **Products Liability & Safety** and Supp.

Why Take This Class? Products that burn, wound or kill are a societal concern, and dealing with their impact on your clients requires you to understand both tort compensation and government safety regulation. To make a living in law as a litigator, products cases are a "must have" skill. Using role play, class participation, headlines, case valuation tools, and a great casebook, this class meets the hiring partner's desire for you to arrive "ready to roll". Yes, there are easier classes but this one equips you for tomorrow's real job demands, beyond what the theoretical aspects of law can offer.

Jan 24	Introduction - Chap. 1
Jan 31	Negligence Review 43-77
Feb 7	Warranty & Misrepresentation 84-156
Feb 14	Strict Liability 157-185
Feb 21	Manufacturing Issues & Experts 188-234, 289-314
Feb 28	Design Issues 226-257
Mar 7	Design Issues 257-296, MUST READ Ohio RC 2307.75
Mar 14	Warnings 315-356, Ohio Rev.Code 2307.76
Mar 28	Causation & Post-Sale Duties 549-71, 590-622
Apr 4	Defenses 391-423, 432-442, 575-581
Apr 11	Defenses, 462-7, 582-612, 613-633, Ohio RC 2307.711
Apr 18	Damages, 652-716, Ohio 2307.79-.80
Apr 25	Regulation, Preemption, & Med.Liability 350-396, 514-548
TBD	Exam

ADDITIONAL RESOURCE MATERIALS

Restatement of Torts (Products Liability) 3d (1997)

Ohio Revised Code Chapter 2307, <http://codes.ohio.gov/orc/2307>

American Law of Products Liability (multivolume looseleaf)

David Owen, Hornbook on Product Liability

James O'Reilly, Product Warnings Defects & Hazards 2d

James O'Reilly, Ohio 2005 Tort Reform Legislation

James O'Reilly, Food & Drug Administration 3d, Vol. 2

M. Stuart Madden, Products Liability

V. Schwartz on Torts