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TORTS: CASES AND PROBLEMS

Third Edition

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MATTHEW  BENDER

Dedications

I dedicate this book to my wife Sheila, my children Megan and Josh, and my grandchildren, Madison, Keegan and Emma. — *Frank Vandall*

We dedicate this book to our children, Chris and Lise. — *Ellen Wertheimer & Mark C. Rahdert*

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I want also to thank Dean John Gotanda and Associate Dean Steve Chanenson for their unfailing support for this project. — *Ellen Wertheimer*

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Preface

For the Third Edition, our goal was to “polish the apple” by replacing cases that were not effective in class and adding new and important ones. One of our goals was also to include cases with human interest in the book.

New cases include:

- *Walmart*: what is the impact of locking Mexican employees in the store during the night shift?
- *Wrinkle*: can a landowner be liable for negligent clothesline placement when the plaintiff is injured while pursuing cattle on the defendant’s property?
- *John B. v. Superior Court of Los Angeles County*: when must an HIV carrier warn of the disease?
- *Yates*: is a law school liable for intentional emotional distress to an impoverished applicant?
- *Langan v. St. Vincent’s Hospital*: does the New York wrongful death statute include actions by the surviving partner in a same-sex civil union?

For this edition, we also tried to incorporate comments we have received from those who have adopted the casebook. We hope we have been responsive.

Enjoy.

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