Professor Tabb  
University of Oklahoma College of Law  
Spring 2010  
Torts II, Section 2

Course Policies and Reading Assignments

1. Assignments.

The readings will be from *Cases and Materials on Torts* by Prosser, Wade and Schwartz (11th ed. 2005 Foundation Press) and from the Torts Supplement. The Supplement will be available in the Faculty Support Services office, located on the third floor, and will also posted on my Faculty web page on the Law School Intranet. The daily assignments will vary according to the topic but typically will involve reading four cases per class session, which will be approximately 20-25 pages in the Textbook and Supplement.

2. Class Participation.

Students are expected to read the assignment and to participate in class discussion. A student who has made a significant contribution to class discussion which demonstrates superior knowledge, ability and effort in the course may receive a final course grade one point higher than their final examination grade (12 point scale, e.g. A- to A). Conversely, a student who has not read the assignment and/or failed to participate in class discussion may be subject to having their final course grade reduced by one grade point. Since the learning environment will be enhanced through class discussion by all students, I expect a good faith effort and the respect for the participation of others.

3. Class Attendance.

The attendance policy for this course will follow the standards adopted by the College of Law and the American Bar Association. Accordingly, students are required to attend class on a regular basis. Attendance usually will be recorded by students initialing a daily roll sheet. Please be advised that signing on behalf of another student constitutes a violation of the College of Law Honor Code and may result in significant sanctions.

Students are permitted four (4) absences during the semester. Any student who misses more than four (4) class sessions will be subject to having their final grade reduced by one grade point (12 point scale); an additional grade point may be subtracted for each further absence. A student who is tardy to or unprepared for class may be counted as absent for that class period. I reserve the right to withdraw a student from the course prior to the final examination if their absences are unreasonably excessive. Students should keep track of their own absences because comprehensive attendance records may not be updated and accurate until the conclusion of the semester. Please note that this policy with respect to the total number of allowable absences is intended to take into account all factors and ordinary
circumstances and does not generally distinguish between excused and un-excused absences. If something significant and unanticipated develops, however, such as a serious illness or family emergency, it is the student’s responsibility to notify me in a timely manner so that an appropriate resolution with respect to the attendance policy may be reached.

4. **Final Examination.**

The final examination will cover all of the material covered in class and all assigned readings. The format of the exam may include both essay and objective questions. Examinations may be typed or handwritten. The Law School Information Technology Department will provide instructions to students during the semester which will explain the procedures and policies regarding registration to take an examination by laptop. Please refer to Section 6 of this syllabus regarding requests for special accommodations pertaining to the final examination.

5. **Course Grade.**

The final examination grade will be the primary basis for the course grade. Class attendance, preparation and participation may be considered, in my discretion, in raising or lowering the final course grade, in accordance with the terms indicated on this syllabus.

6. **Disability.**

If any student has a disability that may prevent you from fully demonstrating your abilities, please contact Ms. Suzette Dyer, Director, Disability Resource Center, Goddard Health Center, 620 Elm Avenue, Suite 166; phone (405) 325-3852. University personnel will apprise you of any medical documentation required to evaluate your situation and will discuss reasonable accommodations necessary to ensure your full participation in class and to facilitate your educational opportunity. Please note that any requests regarding the final examination must be made in a timely manner in order to ensure that proper accommodations may be provided.

7. **Other Information.**

My office (#3023) is located on the northwest corner of the third floor of the Law Center; telephone number is (405) 325-4820 and e-mail address is mtabb@OU.edu. Visitors are always welcome to attend class, but please provide advance notice, if possible, so that appropriate seating can be arranged. I look forward to having each of you in my course this semester and am glad to help you in any way necessary to ensure that you have a positive and rewarding experience at the University of Oklahoma College of Law.
Reading Assignments: Spring 2010

Chapter 9. Owners and Occupiers of Land
Read Textbook pages 480-518

Chapter 16. Nuisance
Read Textbook pages 799-800; 805-828
Supplement: Sundowner v. King at page 815
Armory Park v. Episcopal Comm. at page 815
Restatement of Torts (2d) and Oklahoma Statutes at page 815

Chapter 10. Damages
Read Textbook pages: 519-551; 556-564
Supplement: Hewlett v. Barge Bertie at page 548
Lane v. Oil Delivery at page 548
Carbasho v. Musulin at page 548
Comm of Puerto Rico v. SS Zoe at page 548
Wangen v. Ford at page 550
Mathías v. AccorEconomy Lodging at page 564
Phillip Morris v. Williams at page 564
Oklahoma Statutes on Punitive Damages at page 564

Chapter 11. Wrongful Death and Survival Actions
Read Textbook pages: 565-585
Supplement: Oklahoma Statutes on Wrongful Death at page 565

Chapter 12. Defenses
Read Textbook pages 586-614

Chapter 13. Vicarious Liability
Read Textbook pages: 660-678

Chapter 14. Strict Liability
Read Textbook pages: 686-717
Supplement: Whitefield v. Stewart at page 686

Chapter 15. Products Liability
Read Textbook pages: 403-416; 718-777; 783-798
Supplement: Kirkland v. General Motors at page 755
Schaffer v. A.O. Smith at page 769
Curtis v. Hoosier Racing Tire at page 776

Chapter 17. Defamation
Read Textbook pages 829-938
Supplement: Oklahoma Statutes on Defamation at page 829