

INTENTIONAL TORTS

Battery: Prima Facie Case

P must prove D acted intentionally to cause an offensive touching

1. Volitional Act

2. Touching was offensive to a reasonable sense of personal dignity

Extended Personality: Close connected Reasonable Person- Unduly sensitive v. religious right

3. Intent

1. Purpose to cause a harmful or offensive touching
2. Knew with substantial certainty such a touching would occur

---- JXN SPLIT----

1. Dual Intent: D have the purpose to harm or offend or know either would result
2. Single Intent: D have the purpose to touch.

Assault

P must prove D intentionally put P in apprehension of an imminent harmful or offensive contact

1. Reasonable apprehension

2. Intent

D has Purpose to put P in apprehension or know with substantial certainty apprehension would result.

Transferred Intent

One who commits an intentional tort directed at one person is liable if another is harmed.

NEGLIGENCE

ELEMENTS

1. Duty
2. Breach
3. Actual Cause
4. Proximate Cause
5. \$\$\$ Harm



By **SweetDhee**

cheatography.com/sweetdhee/

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