

---

# TABLE OF CONTENTS

PREFACE.....	III
EXPLANATORY NOTES AND ACKNOWLEDGMENTS .....	V
TABLE OF CASES.....	XXV
TABLE OF RESTATEMENT SECTIONS.....	XXXIX
<b>Chapter 1. Bases of Liability for Accidental Harm.....</b>	<b>1</b>
A. Introduction.....	1
Excerpt, John Fabian Witt, Toward a New History of American Accident Law: Classical Tort Law and the Cooperative First Party Insurance Movement.....	1
Ives v. South Buffalo Railway Co.....	3
Excerpt, Fowler V. Harper, Fleming James, Jr. & Oscar S. Gray, Harper, James and Gray on Torts, § 11.2 .....	15
Notes .....	16
B. Earlier Developments.....	23
Excerpt, Edmund M. Morgan & Francis X. Dwyer, Introduction to the Study of Law .....	23
Note.....	25
Weaver v. Ward.....	26
Note.....	26
Dickenson v. Watson.....	27
Note.....	27
Gibbons v. Pepper .....	27
Notes .....	28
Hall v. Fearnley .....	28
Note.....	30
Scott v. Shepherd .....	30
Notes .....	34
Brown v. Kendall .....	37
Notes .....	40
Excerpt, Oliver Wendell Holmes, Jr., The Common Law .....	44
Note.....	45
C. The Challenge to the Common Law Posed by Accidental Injury.....	45
Excerpt, Jeremiah Smith, Sequel to Workmen’s Compensation Acts.....	45
Note.....	48
<b>Chapter 2. Traditional Forms of Liability Without Fault.....</b>	<b>49</b>
A. Recovery for Damages Caused by a Party Acting Under Necessity .....	49
Vincent v. Lake Erie Transportation Co. ....	49
Notes .....	52
The Mayor of New York v. Lord.....	53
Note.....	54
B. Abnormally Dangerous Activities .....	55
Fletcher v. Rylands .....	55
Rylands v. Fletcher .....	58

	Rylands v. Fletcher .....	61
	Notes .....	62
	Spano v. Perini Corp. ....	65
	Yommer v. McKenzie .....	67
	Notes .....	70
	Indiana Harbor Belt Railroad Co. v. American Cyanamid Co. ....	71
	Note .....	77
C.	Nuisance .....	78
	Bohan v. Port Jervis Gas-Light Co. ....	78
	Notes .....	80
	Public Service Co. of Colorado v. Van Wyk .....	83
	Note .....	88
	Boomer v. Atlantic Cement Co. ....	90
	Spur Industries, Inc. v. Del E. Webb Development Co. ....	92
	Note .....	94
	State v. Lead Industries Ass'n .....	95
	Notes .....	101
D.	Trespass .....	101
	Martin v. Reynolds Metals Co. ....	101
	Notes .....	107
E.	Animals .....	108
	Behrens v. Bertram Mills Circus Ltd. ....	108
	Notes .....	108
F.	Vicarious Liability .....	110
	Sword v. NKC Hospitals, Inc. ....	110
	Taber v. Maine .....	114
	Notes .....	117
	Excerpt, Guido Calabresi, Some Thoughts on Risk Distribution and the Law of Torts .....	120
	Maloney v. Rath .....	122
	Notes .....	124
	<b>Chapter 3. The Anatomy of Fault .....</b>	<b>127</b>
A.	The Nature of Negligence .....	127
	Frederick v. City of Detroit, Department of Street Railways .....	127
	Notes .....	130
	Blyth v. Birmingham Waterworks Co. ....	132
	National Food Stores, Inc. v. Union Electric Co. ....	133
	Note .....	136
	Stockberger v. United States .....	138
	Hover v. Barkhoof .....	138
B.	The Reasonable Person .....	139
	Vaughan v. Menlove .....	139
	Excerpt, Oliver Wendell Holmes, Jr., The Common Law .....	140
	Notes .....	141
	Memorial Hospital of South Bend, Inc. v. Scott .....	142
	Note .....	145
	Hammontree v. Jenner .....	145
	Keller v. DeLong .....	147

---

	Gould v. American Family Mutual Insurance Co.....	148
	Notes .....	152
	Dellwo v. Pearson.....	153
	Note.....	154
C.	The Respective Roles of Judge and Jury .....	154
	Lorenzo v. Wirth .....	155
	Excerpt, Oliver Wendell Holmes, Jr., The Common Law .....	158
	Baltimore & Ohio Railroad Co. v. Goodman .....	160
	Notes .....	160
	Excerpt, Richard M. Nixon, Changing Rules of Liability in Automobile Accident Litigation.....	161
	Note.....	162
	Broussard v. State.....	162
	Notes .....	166
D.	Negligence and Cost-Benefit Comparisons .....	167
	Adams v. Bullock .....	167
	Notes .....	168
E.	The Role of Custom .....	173
	Lehigh & Wilkes-Barre Coal Co. v. Hayes .....	173
	La Sell v. Tri-States Theatre Corp.....	175
	Notes .....	178
	Stevens v. Boston Elevated Ry. Co. ....	179
	Note.....	181
	Brune v. Belinkoff.....	181
	Notes .....	185
	Canterbury v. Spence.....	187
	Notes .....	195
F.	The Role of Statutes.....	195
	Martin v. Herzog.....	196
	Notes .....	199
	Tedla v. Ellman.....	201
	Note.....	204
	Combs v. Los Angeles Railway Corp. ....	204
	Notes .....	207
G.	Conduct More Egregious than Negligence .....	209
	Sandler v. Commonwealth .....	209
	Notes .....	211
H.	Proof of the Breach: <i>Res Ipsa Loquitur</i> .....	214
	Winterowd v. Christensen .....	214
	Welsh v. Cornell.....	216
	Ristau v. E. Frank Coe Co. ....	217
	Notes .....	218
	Colmenares Vivas v. Sun Alliance Insurance Co.....	219
	Notes .....	222
	Sullivan v. Crabtree.....	223
	Notes .....	226
	Ybarra v. Spangard.....	226
	Notes .....	230

<b>Chapter 4. Causation and Its Cousins.....</b>	<b>235</b>
A. Cause in Fact.....	235
1. The Basic Concept of “But/for” Causation .....	235
Wolf v. Kaufmann .....	235
Reynolds v. Texas & Pacific Railway Co. ....	236
Notes .....	237
Dillon v. Twin State Gas & Electric Co. ....	238
Notes .....	239
2. Cause in Fact in Toxic Torts .....	240
Excerpt, Restatement (Third) of Torts: Liability for Physical and Emotional Harm § 28, Comment c (2010). ....	240
Zuchowicz v. United States .....	243
Note .....	248
3. Multiple or Indeterminate Tortfeasors.....	249
Corey v. Havener.....	249
Notes .....	250
Michie v. Great Lakes Steel Div., National Steel Corp. ....	251
Note .....	254
Summers v. Tice.....	254
Notes .....	256
Sindell v. Abbott Laboratories .....	257
Notes .....	266
Skipworth v. Lead Industries Association, Inc. ....	267
Notes .....	269
4. Recovery for Loss of Chance.....	270
Matsuyama v. Birnbaum .....	270
Notes .....	276
5. Causal Linkage .....	278
Green-Wheeler Shoe Co. v. Chicago, Rhode Island & Pacific Railway Co.....	278
Berry v. Sugar Notch Borough.....	279
Excerpt, Guido Calabresi, Concerning Cause and the Law of Torts: An Essay for Harry Kalven, Jr.....	280
B. Scope of Liability (Duty and Proximate Causation).....	281
1. Limiting Liability.....	281
Ryan v. New York Central Railroad Co.....	281
Notes .....	283
In re Polemis and Furness Withy & Co. Ltd. ....	284
Gorris v. Scott.....	287
Note .....	289
Brown v. Shyne .....	289
Note .....	292
Palsgraf v. Long Island Railroad Co. ....	293
Notes .....	300
Overseas Tankship (U.K.) Ltd. v. Morts Dock & Engineering Co. Ltd. (The Wagon Mound No. 1).....	303
Notes .....	307
Hughes v. Lord Advocate.....	308

Overseas Tankship (U.K.) Ltd. v. The Miller Steamship Co.  
 Pty. (The Wagon Mound No. 2) ..... 310  
 Note ..... 312  
 Petition of Kinsman Transit Co. .... 313  
 2. Intervening and Superseding Causes ..... 316  
 Note ..... 316  
 Vesely v. Sager ..... 317  
 Notes ..... 319  
 Modave v. Long Island Jewish Medical Center ..... 320  
 Note ..... 322  
 Liney v. Chestnut Motors, Inc. .... 323  
 Notes ..... 324  
 Edwards v. Tardif..... 324  
 Notes ..... 326  
 Bell v. Board of Education ..... 328  
 C. Reassembling the Components of Causation ..... 329  
 Doe v. Manheimer ..... 329  
 Notes ..... 332

**Chapter 5. The Effect of Plaintiff’s Conduct and Related**

**Issues ..... 335**  
 A. Contributory Negligence..... 336  
 Butterfield v. Forrester..... 336  
 Note..... 337  
 Hensel v. Beckward ..... 337  
 Notes ..... 339  
 B. Comparative Fault ..... 344  
 Li v. Yellow Cab Co. of California ..... 344  
 Notes ..... 349  
 C. Plaintiff’s Opportunity to Minimize Harm..... 352  
 Lange v. Hoyt ..... 352  
 Notes ..... 354  
 Law v. Superior Court for the County of Maricopa ..... 356  
 Notes ..... 363  
 D. Assumption of Risk and Related Concepts..... 364  
 Seigneur v. National Fitness Institute, Inc..... 364  
 Note..... 369  
 Gross v. Sweet ..... 369  
 Dalury v. S-K-I, Ltd. .... 373  
 Brown v. San Francisco Ball Club ..... 375  
 Blackburn v. Dorta..... 377  
 Note..... 381  
 E. Imputed Contributory Negligence ..... 382  
 Dashiell v. Keauthou-Kona Co. .... 382  
 Note..... 384  
 Handeland v. Brown ..... 384  
 Note..... 386  
 F. Joint and Several Liability and Alternatives..... 386  
 Corey v. Havener..... 386

Michie v. Great Lakes Steel Div., National Steel Corp. ....	387
Walt Disney World Co. v. Wood .....	387
Notes .....	392
G. Contribution and Indemnity .....	393
Note.....	393
Illinois Compiled Statutes Annotated, Joint Tortfeasor	
Contribution Act.....	394
Notes .....	395
<b>Chapter 6. Damages.....</b>	<b>399</b>
A. Compensatory Damages for Personal Injuries .....	399
1. Categories of Damages and Judicial Review.....	399
Seffert v. Los Angeles Transit Lines.....	399
Notes .....	404
B. General Considerations .....	411
1. Single Recovery Rule .....	411
Fetter v. Beal.....	411
Ferrer v. Beale.....	411
Notes .....	412
2. Future Losses, Present Value, and Inflation .....	414
Feldman v. Allegheny Airlines, Inc. ....	414
Notes .....	417
3. Effect on Recovery of Compensation from Collateral Sources ...	420
Coyne v. Campbell .....	420
Notes .....	422
C. Compensatory Damages for Harm to Property .....	423
Bangert v. Osceola County.....	423
Notes .....	425
Birmingham Railway Light & Power Co. v. Hinton.....	426
Notes .....	427
D. Punitive Damages.....	428
Kemezy v. Peters.....	428
Notes .....	430
Ciraolo v. City of New York.....	432
Note.....	435
Philip Morris USA v. Williams .....	435
Notes .....	438
<b>Chapter 7. Protection of Others .....</b>	<b>441</b>
A. Rescues .....	441
1. Traditional Principles.....	441
Stockberger v. United States.....	441
Notes .....	444
2. Liability Arising From Defendant's Creation of Risk.....	446
Montgomery v. National Convoy & Trucking Co. ....	446
Note .....	447
3. Voluntary Undertaking of Assistance .....	448
H.R. Moch Co. v. Rensselaer Water Co. ....	448
Note.....	451

- Bloomberg v. Interinsurance Exchange..... 451
- Notes ..... 452
- 4. Liability for Unreasonable Failure to Rescue Revisited..... 453
- Soldano v. O’Daniels ..... 453
- B. Duty to Protect or Warn Third Parties..... 459
- Tarasoff v. Regents of the University of California ..... 459
- Notes ..... 463
- Harper v. Herman..... 464
- Notes ..... 466
- C. Requisite Relationships ..... 469
- Lamb v. Hopkins ..... 469
- Taggart v. State ..... 471
- Notes ..... 474

**Chapter 8. Limitations on Liability Based on Type of Harm .....477**

- A. Recovery for Psychic Harm in the Absence of Physical Injury  
(Negligent Infliction of Emotional Distress) ..... 477
- Spade v. Lynn & Boston Railroad Co. .... 477
- Notes ..... 480
- Steinhauser v. Hertz Corporation..... 481
- Dillon v. Legg ..... 483
- Notes ..... 488
- B. Recovery for Loss Arising from Injury to Family Members ..... 490
- Ueland v. Pengo Hydra-Pull Corp. .... 490
- Notes ..... 493
- C. Recovery for “Wrongful Birth” and “Wrongful Life” ..... 495
- Greco v. United States..... 495
- Note..... 500
- D. Recovery for Economic Loss in the Absence of Personal Injury or  
Property Damage ..... 500
- Wiltz v. Bayer Cropscience, Ltd. Partnership..... 500
- People Express Airlines, Inc. v. Consolidated Rail Corp..... 503
- Notes ..... 504

**Chapter 9. Limitation of Liability Resulting From Defendant’s  
Identity or Relationships (“Immunities”) .....507**

- A. Intrafamily Tort Liability ..... 507
- Counts v. Counts..... 507
- Price v. Price..... 511
- Notes ..... 514
- Broadbent v. Broadbent..... 514
- Note..... 520
- B. Liability of Charitable Institutions..... 521
- C. Liability of the Government and Its Officers ..... 521
- 1. Liability of State Governments ..... 521
- Notes ..... 521
- 2. Liability of Municipalities ..... 523
- Notes ..... 523
- 3. The Federal Tort Claims Act..... 524

	Soldano v. United States .....	524
	Notes .....	529
4.	Liability of Public Officials and Employees.....	530
	Notes .....	530
<b>Chapter 10. Liability of Possessors of Land .....</b>		<b>535</b>
A.	Liability to Trespassers Under Traditional Law Classifying Visitors on Land.....	537
	Cain v. Johnson.....	537
	Notes .....	542
	Herrick v. Wixom .....	544
	Notes .....	545
B.	Liability to Licensees and Invitees Under Traditional Law Classifying Visitors on Land .....	546
	Gautret v. Egerton.....	546
	Indermaur v. Dames .....	547
	Brosnan v. Koufman .....	549
	Notes .....	550
C.	Liability of Land Possessors Under a General Negligence Standard .....	554
	Nelson v. Freeland .....	554
	Notes .....	558
D.	Liability of Landlords .....	561
	Sargent v. Ross.....	561
	Tenney v. Atlantic Associates .....	565
	Note.....	570
<b>Chapter 11. Liability of Suppliers of Products .....</b>		<b>573</b>
A.	Development of Alternative Theories of Recovery.....	573
	Winterbottom v. Wright .....	573
	Notes .....	575
	MacPherson v. Buick Motor Co.....	576
	Note.....	579
	Escola v. Coca Cola Bottling Co. ....	580
	Notes .....	583
	Greenman v. Yuba Power Products, Inc.....	587
	Restatement (Second) of Torts § 402A (1965) .....	590
	Notes .....	590
B.	Manufacturing Defects .....	594
	Myrlak v. Port Authority of New York and New Jersey .....	594
C.	Design Defects.....	597
	Potter v. Chicago Pneumatic Tool Co. ....	597
D.	Defects: Failure to Warn .....	603
	Liriano v. Hobart Corp. ....	603
	Notes .....	609
	Uniroyal Goodrich Tire Co. v. Martinez .....	610
	Perez v. Wyeth Laboratories Inc.....	613
	Notes .....	618



- E. Recovery for Economic Loss: The Intersection of Tort and Contract ..... 619  
     80 South Eighth Street Limited Partnership v. Carey-Canada, Inc. .... 619
- F. Plaintiff’s Conduct ..... 621  
     Ellsworth v. Sherne Lingerie, Inc. .... 621  
     Notes ..... 623  
     Daly v. General Motors Corp. .... 624  
     Notes ..... 627
- G. Federal Preemption ..... 629  
     Cipollone v. Liggett Group, Inc. .... 629  
     Notes ..... 632  
     Mutual Pharmaceutical Co. v. Bartlett ..... 633  
     Notes ..... 642

**Chapter 12. Insurance and the Tort System.....645**

- A. Development of Liability Insurance and Its Impact on the Tort System ..... 645  
     Excerpt, David A. Fischer & Robert H. Jerry, II, Teaching Torts Without Insurance: A Second-Best Solution ..... 645  
     Note ..... 648
- B. Examples of Coverage Issues Under Commercial Policies ..... 649  
     Keene Corp. v. Insurance Co. of North America ..... 649  
     Notes ..... 654
- C. Examples of Insurance Policies Providing Liability Coverage for Individuals..... 657  
     1. Automobile Insurance Policies ..... 657  
         Excerpt, James M. Anderson, Paul Heaton & Stephen J. Carroll, The U.S. Experience with No-Fault Automobile Insurance: A Retrospective ..... 657  
         Note ..... 658
- 2. Homeowner’s Policy ..... 660
- D. Liability for “Bad Faith” Failure to Settle..... 661  
     Merritt v. Reserve Insurance Co. .... 661  
     Notes ..... 666

**Chapter 13. Alternative Compensation Systems and Their Coordination with the Tort System.....667**

- A. The Argument for No-Fault Compensation Systems ..... 668  
     1. General Criticisms of the Tort System ..... 668  
         Excerpts, Stephen D. Sugarman, Doing Away with Tort Law.... 668  
         Note ..... 671
- 2. The Limits of the Role of Fault in Automobile Collisions ..... 673  
         Excerpt, David Klein & Julian A. Waller, Causation, Culpability and Deterrence in Highway Crashes ..... 673
- B. No-Fault Plans: An Overview ..... 675  
     1. Workers’ Compensation ..... 675  
         Excerpt, Fowler V. Harper, Fleming James, Jr. & Oscar S. Gray, Harper, James and Gray on Torts § 11.2 ..... 675

2.	National Vaccine Injury Compensation Plan.....	676
	Excerpt, Donald G. Gifford, William L. Reynolds & Andrew M. Murad, A Case Study in the Superiority of the Purposive Approach to Statutory Interpretation.....	676
3.	Automobile No Fault.....	680
	Excerpt, James M. Anderson, Paul Heaton & Stephen J. Carroll, The U.S. Experience with No-Fault Automobile Insurance: A Retrospective.....	680
	Excerpt, Stephen J. Carroll and James S. Kakalik, No-Fault Automobile Insurance: A Policy Perspective.....	682
C.	The Boundary Between Liability in the No-Fault Compensation System and in Torts.....	686
1.	Workers' Compensation.....	686
	Blankenship v. Cincinnati Milacron Chemicals, Inc. ....	686
	Notes.....	689
2.	Automobile No-Fault.....	690
	Licari v. Elliott.....	690
3.	National Vaccine Injury Compensation Plan.....	694
	Excerpt, Donald G. Gifford, William L. Reynolds & Andrew M. Murad, A Case Study in the Superiority of the Purposive Approach to Statutory Interpretation: <i>Bruesewitz v. Wyeth</i> .....	694
D.	Evaluating Automobile No-Fault.....	699
	Excerpt, James M. Anderson, Paul Heaton & Stephen J. Carroll, The U.S. Experience with No-Fault Automobile Insurance: A Retrospective.....	699
E.	No-Fault Compensation in Other Areas.....	703
	Notes.....	703
<b>Chapter 14. Assault, Battery, and Certain Other Intentional Torts.....711</b>		
A.	Battery.....	711
	Garratt v. Dailey.....	711
	Notes.....	714
	Manning v. Grimsley.....	716
	Note.....	717
B.	Privileges.....	717
1.	Consent.....	717
	O'Brien v. Cunard Steamship Co. ....	717
	Note.....	718
	Hernandez v. Schittek.....	719
	Notes.....	722
	Gauvin v. Clark.....	722
	Notes.....	725
2.	Self-Defense.....	726
	Courvoisier v. Raymond.....	726
	Notes.....	728
3.	Defense of Property.....	729
	Katko v. Briney.....	729

Notes .....	731
C. Assault .....	732
White v. Sander.....	732
Brower v. Ackerley.....	733
Note.....	736
D. Intentional Infliction of Emotional Distress .....	737
Brower v. Ackerley.....	737
GTE Southwest, Inc. v. Bruce .....	739
Notes .....	743
Snyder v. Phelps .....	745
Notes .....	749
E. False Imprisonment.....	750
McCann v. Wal-Mart Stores, Inc. ....	750
Notes .....	752
Scofield v. Critical Air Medicine, Inc. ....	752
F. Alien Tort Statute .....	757
Kiobel v. Royal Dutch Petroleum Co. ....	757
Notes .....	761
G. Trespass to Chattels and Conversion .....	762
Pearson v. Dodd .....	762
Moore v. Regents of the University of California.....	765
Note.....	771
CompuServe Inc. v. Cyber Promotions, Inc.....	771
Note.....	775
H. Malicious Prosecution and Abuse of Process.....	775
South Arkansas Petroleum Co. v. Schiesser .....	775
Notes .....	779
Wilson v. Hayes.....	781
Notes .....	786
<b>Chapter 15. Misrepresentation .....</b>	<b>787</b>
A. Origins .....	787
Pasley v. Freeman.....	787
Note.....	789
B. Misrepresentation of Fact .....	789
Dezero v. Turner .....	789
Note.....	790
Lazar v. Superior Court of Los Angeles County .....	790
Note.....	793
Cabot v. Christie .....	793
Notes .....	796
C. Damage Claims and Other Remedies: The Role of Fault.....	798
Reno v. Bull .....	798
Notes .....	800
D. Concealment and Non-Disclosure.....	802
Laidlaw v. Organ.....	802
Note.....	803
Swinton v. Whitinsville Savings Bank .....	804
Note.....	804

Campbell v. Booth.....	805
Note.....	806
Damon v. Sun Co. ....	807
B.N. v. K.K. ....	809
Notes.....	811
Ollerman v. O'Rourke Co.....	812
Note.....	817
E. Plaintiff's Conduct: Justifiable Reliance .....	818
Seeger v. Odell .....	818
Notes.....	820
F. Measure of Damages.....	822
Selman v. Shirley.....	822
Note.....	826
G. Relationships That Require Care: Liability for Negligent Misrepresentation.....	826
Glanzer v. Shepard .....	827
Ultramares Corp. v. Touche .....	828
Notes.....	833
<b>Chapter 16. Business Torts.....</b>	<b>837</b>
A. Interference with Contract and Reasonable Economic Expectancies.....	837
Tata Consultancy Services v. Systems Int'l, Inc.....	837
Notes.....	842
Top Service Body Shop, Inc. v. Allstate Insurance Co.....	843
Wal-Mart Stores, Inc. v. Sturges .....	846
Notes.....	852
B. Injurious Falsehood .....	853
Auvil v. CBS "60 Minutes" .....	853
Notes.....	856
C. Prima Facie Tort.....	857
Advance Music Corp. v. American Tobacco Co. ....	857
Notes.....	859
D. Unfair Competition: Other Aspects .....	859
Pennsylvania State University v. University Orthopedics, Ltd. ....	859
Notes.....	862
<b>Chapter 17. Defamation.....</b>	<b>865</b>
A. Basis of Liability .....	865
Idema v. Wager .....	865
Notes.....	868
Excerpt, Thomas A. Street, The Foundations of Legal Liability .....	869
Ball v. Roane .....	869
Ball v. Roane .....	869
Anthony Theobald v. Brook.....	870
Note.....	870
B. "Of and Concerning the Plaintiff" .....	870
Peck v. Tribune Co.....	870
Notes.....	872

Farrell v. Triangle Publications, Inc.....	873
C. Libel and Slander.....	875
Davies and Wife v. Solomon .....	875
Thorley v. Lord Kerry .....	876
Note.....	877
Biondi v. Nassimos.....	878
Notes .....	882
D. Publication.....	884
Bals v. Verduzco.....	884
Notes .....	885
Zeran v. America Online, Inc. ....	886
Note.....	890
E. Issues of Truth and Republication at Common Law .....	890
Olinger v. American Savings and Loan Ass'n.....	890
Notes .....	892
F. Privileged Occasions under Common Law .....	893
Nodar v. Galbreath .....	893
Note.....	896
Kennedy v. Cannon.....	897
Notes .....	901
G. Constitutional Requirements.....	902
New York Times Co. v. Sullivan .....	902
Notes .....	911
Gertz v. Robert Welch, Inc. ....	912
Notes .....	919
Dun & Bradstreet, Inc. v. Greenmoss Builders, Inc. ....	919
Note.....	923
Philadelphia Newspapers, Inc. v. Hepps.....	923
Notes .....	926
H. Expression of Opinion as Defamation .....	926
Milkovich v. Lorain Journal Co.....	926
Note.....	930
<b>Chapter 18. Invasion of Privacy .....</b>	<b>931</b>
A. Public Disclosure of Private Facts .....	931
Excerpt, Samuel D. Warren & Louis D. Brandeis, The Right to Privacy .....	931
Note.....	932
Shulman v. Group W Productions, Inc. ....	932
Doe v. Methodist Hospital .....	938
Note.....	943
B. Intrusion upon Seclusion.....	944
Hamberger v. Eastman.....	944
Note.....	946
Shulman v. Group W Productions, Inc. ....	946
Notes .....	951
C. False Light.....	953
Peoples Bank & Trust Co. of Mountain Home v. Globe International, Inc.....	953

Machleder v. Diaz .....	957
Note.....	961
D. Appropriation .....	963
White v. Samsung Electronics America, Inc. ....	963
Comedy III Productions, Inc. v. Gary Saderup, Inc.....	966
Note.....	972
<b>Appendix A. The Litigation Process.....</b>	<b>975</b>
INDEX .....	981