

6.E: Assessment Questions

1. Define Torts.
2. An example of an intentional tort is:
 - a. Defamation.
 - b. Assault.
 - c. Malicious prosecution.
 - d. All of the above.
3. When an individual creates and promotes malicious falsehoods about another that individual may be liable for:
 - a. Libel.
 - b. Slander.
 - c. Defamation.
 - d. All of the above.
4. Describe Negligence.
5. All of the following are elements of negligence except:
 - a. A reasonable person.
 - b. A duty by the defendant to either act or refrain from acting.
 - c. A breach of a duty owed by defendant.
 - d. Measurable harm.
6. Which of the following is a special relationship giving rise to a duty to act to aid or protect one in peril?
 - a. Hotel and guest.
 - b. Cousin to cousin.
 - c. School principal and student.
 - d. Hotel and guest, and school principal and student.
7. If an activity causes a foreseeable and highly significant risk of physical harm even when reasonable care is exercised by all actors, and the activity is not one of common usage, it is:
 - a. Proximate cause.
 - b. Abnormally dangerous.
 - c. Negligence.
 - d. None of these are correct.
8. What is an attractive nuisance?
9. The elements of res ipsa loquitor that a plaintiff must establish in a product liability lawsuit include all of the following except:
 - a. The defendant breached his or her duty of care.
 - b. The defendant had control over the product in question while it was being manufactured.
 - c. Under normal circumstances, the product would not cause damage or harm, but damage or harm has occurred in the case in question.
 - d. The behavior of the plaintiff did not significantly contribute to the harm caused.
10. Describe the differences between contributory and comparative negligence.

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