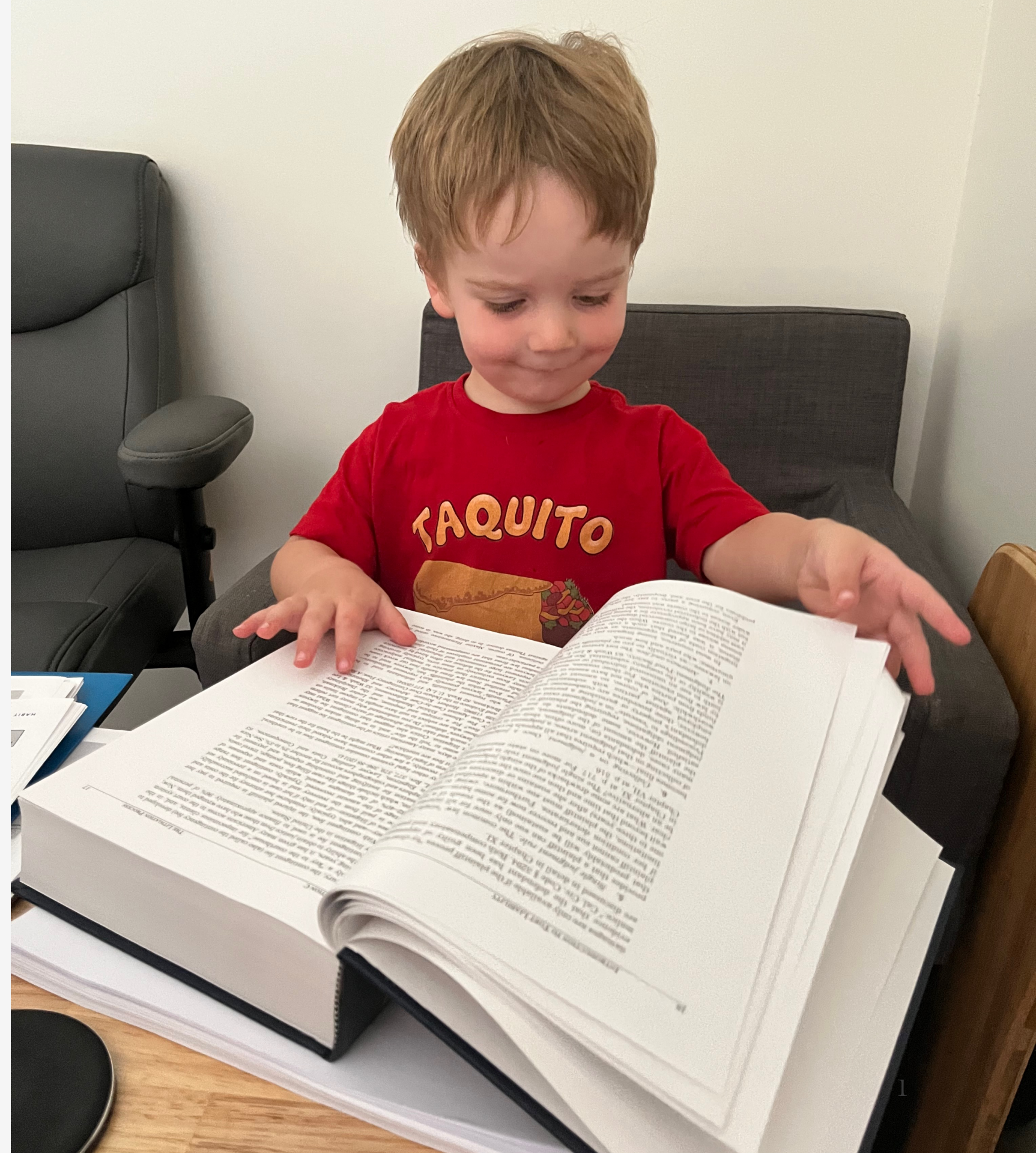


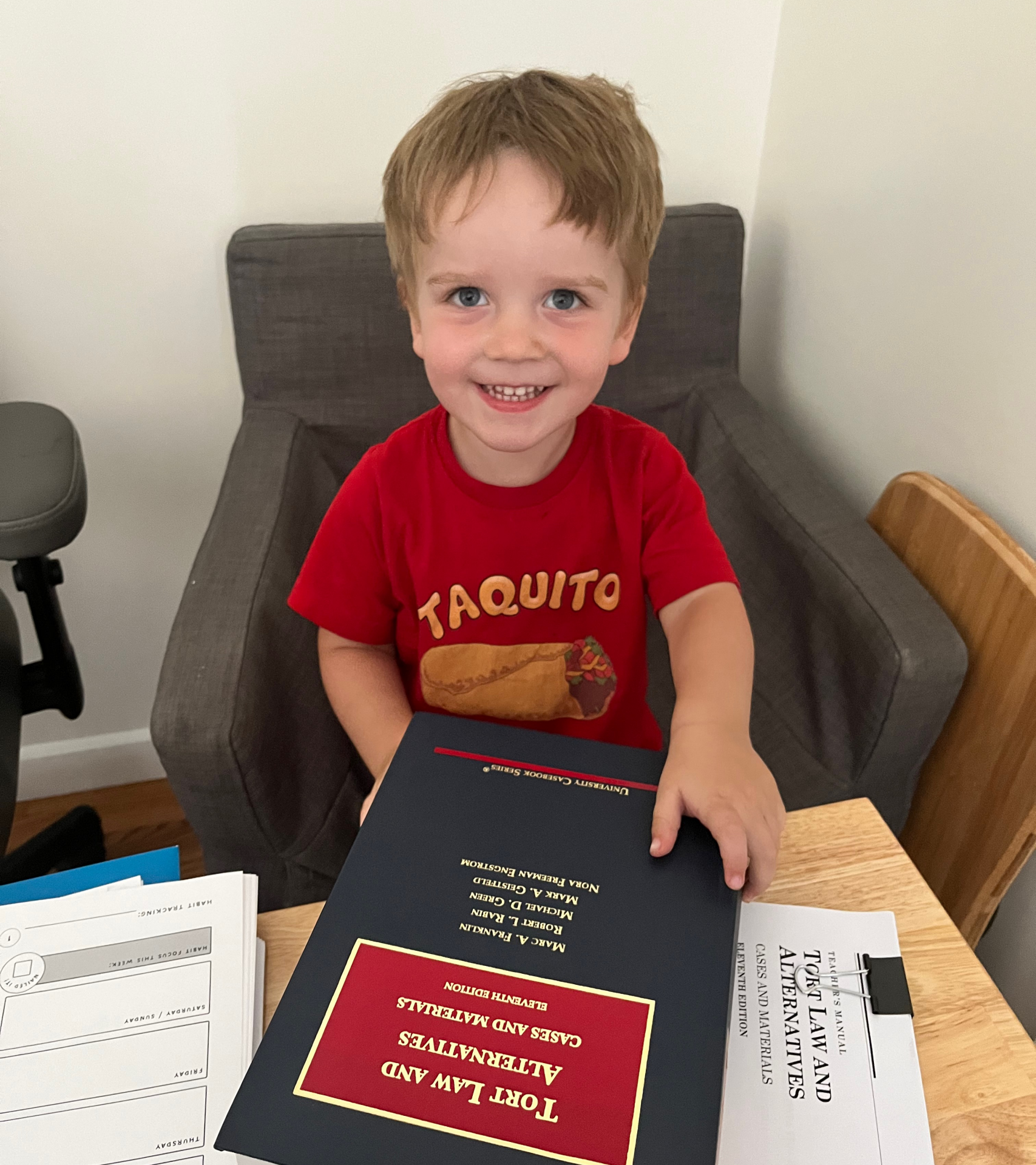
Agenda

Recap

How to Read a Case
(continued from last week)

Course Overview





Recap

How to Read a Case

Internal logic and mechanics of a case

1. Procedural posture
2. Legal question(s)
3. Relevant facts
4. Holding
5. Reasoning(s) behind the holding

Reasoning behind the holding

Three lines of reasoning

1. Precedent binds us.
2. Analogy to products liability falls apart.
3. Supreme Court reasoning in analogous case applies here.

Exam question

You are a judge in the state of Loyola tasked with writing the opinion of the court in the following case. No precedent binds you on the legal issues here, but it is customary to reference the reasoning of decisions from other jurisdictions when deciding an issue of first impression. The facts of the case are as follows:

Luna Adams found that her car's brakes were squeaking. She brought the car in to be seen by her mechanic, Naomi Donald. Donald replaced the brake pads. A week later, Adams was driving when the brakes on her car failed, causing her to run off the road and crash into a tree. Adams sued Donald for personal injuries and property damages. The case went to a jury trial. Adams motioned for summary judgment, under the legal theory that when a car mechanic fixes a part of a car, that mechanic is strictly liable for all injuries proximately caused by that part of the car failing. The trial judge denied the motion, ruling that negligence, not strict liability, governed. The plaintiff appeals the denial of that motion.

**How to answer this kind of
question**

Course overview

What is torts?

Scope of tort law

Why study tort law?

Course roadmap

On the course website under *Course Content*