

Proximate Cause (cont'd.)

Proximate Cause (so far...)

Unexpected Harm

Benn v. Thomas

Additional Harm

Note Cases

Intervening Cause

Torres v. El Paso Electric Co.

Palsgraf v. Long Island Railroad Co.

So, what is the rule?

How would you rule in *Palsgraf*?

Majority opinion (Cardozo)

and

Dissenting opinion (Andrews)

“What we do mean by the word ‘proximate’ is, that because of convenience, of public policy, of a rough sense of justice, the law arbitrarily declines to trace a series of events beyond a certain point. This is not logic. It is practical politics.”

- Andrews dissent in *Palsgraf*

Danger invites rescue



The Learned Hand Band

Danger Invites Rescue

Danger invites rescue