

Proximate Cause

Benn v. Thomas

“The Time-Delayed Heart Attack”

Steinhauser v. Hertz Corp.

“Sudden Schizophrenia”

Gibson v. Garcia

“The Rotten Telephone Pole that Fell on the Car”

Intervening Cause

“a cause which interrupts the natural sequence of events, turns aside their cause, prevents the natural and probable results of the original act or omission, and produces a different result, that could not have been reasonably foreseen.”

- Prosser & Keaton, Law of Torts

Berry v. Borough of Sugar Notch

“The Rotten Tree that Fell on the Speeding Car”

Palsgraf v. Long Island Railroad Co.

“Fireworks on the Train Platform”

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*