

# ADVANCED TORTS: DIGNITARY AND ECONOMIC HARMS

Fall 2014 – Professor Markita D. Cooper

## FIRST WEEK ASSIGNMENTS

**Required Text:** Vincent R. Johnson, *ADVANCED TORTS: A PROBLEM APPROACH* (Lexis 2010)

### Tuesday, August 12 -- Introduction

Casebook, Chapter 1 (pp. 1-8) – An overview distinguishing dignitary and economic torts from the torts focused on injury to persons and property.

Handout, *Defamation, Privacy and Misrepresentation: Introduction and Background* (download from TWEN, or obtain hard copy from Ms. Doranne Riggio across from Prof. Cooper's office, Room 328A).

In our opening class, we will introduce the subject matter. In addition to considering the interests generally protected by dignitary and economic torts, we will also discuss an overview of the history and background of the torts we will focus on this semester: defamation, privacy, and misrepresentation. As you prepare for class, consider the following questions:

- Defamation and privacy have different historical roots. What contrasts do you note in the historical development of these torts?
- Explain the distinctions between the following terms: “defamation,” “slander,” and “libel.”
- Why was 1964 an important year in the history of defamation law in the United States?
- The 1890 Warren and Brandeis law review article, *The Right to Privacy*, is widely considered to be one of the most influential law review articles ever written. Why is the article so influential?
- How did Prosser contribute to the development of privacy law? Why is his contribution important?
- Explain the distinctions between the four invasion of privacy torts.
- Much of the development of defamation and privacy tort law occurred long before the development of the Internet, social media, mobile phones, and other technology that now is part of our daily lives. Based on what you know at the beginning of this course, what are your thoughts on the impact of technology on defamation and privacy law?
- Misrepresentation and defamation both are based on false statements. Explain the role of false statements in each tort.
- Which of the three torts focus on protecting dignitary interests? Economic interests?
- Find and bring to class: one example of news accounts or other stories that raise potential issues of defamation, privacy, or misrepresentation. Your sources can include traditional news, social media, or the Internet.

### *Working with the ADVANCED TORTS Casebook*

- Look through the casebook. Note how it differs from other casebooks. How will the book's structure will impact your approach to the class and your class preparation?

### Thursday, August 14 –DEFAMATION

pp. 149-151(Chapter Table of Contents); 162-165 (through Problem 3-1)

*Welcome to Advanced Topics in Law: Defamation and Privacy!*