Taft law school.

Tort Baby Bar mini review lecture.

September 15, 2020,

PROFESSOR: Welcome to tonight's Baby Bar mini series. I do want to point out that these sessions are recorded. If you want to go back and listen they are in Taft section and go to Baby Bar mini series and it's there for you. And handout are there too.

As I pointed out to you, today's lecture is I will go over torts and the primary purpose of the lecture is not on the law. It's to get you to have a better understanding of how you are going to see these issues will be tested on and essay questions. This is a chance, how do I know the information being tested, et cetera.

If you have questions, place in the chat and I will help you.

In Taft, it does provide checklist. You do want to make sure you develop and use a checklist. And that will help you identify issues and for your setup. You will find, for example, that you get an issue of negligence. Well, if you look to your inner. I start with special duty and see if that's an issue, then go to general duty, then breach, causation and defenses, that's your setup. And that's how you will write a negligence exam if the theory does come up on examination. It gives you structure to help you and a tool to fall back on to make sure, am I leaving anything. So make sure you are not leaving things out. So I don't miss an issue.

So it's very important to help you identify issues as well as organization on your exam.

Now, we did have a lecture on multiple questions and I pointed out to you last week that you should always start with the stem of the question. This will always give you direction on what's being tested with. Torts, contract or criminal law. And then you go into the fact pattern and break it apart, what concept in this case, tort being tested. Intentional tort, they do come up on multiple choice questions. They also come up every once in a while in essay. And the problem with intentional torts on the essay students don't do well, they see one and leave. You have to break apart the facts and see how many you can grab onto. And that's where your checklist will help you.

With intentional torts, you want to look at, especially on essay is their intent. Intent can be actual intent. I intend to throw a ball at you, desired result or transferred intent. So I want to focus to see if I have the address the issue. And in one of your Multistate asked a question hitting a golf ball, it hit a tree, ricochet and hit another person, is that battery? The answer is no. If it hits the person, I acted with the substantial certainty to hit that golf ball. But in this case they told you to hit the tree, and bouncing off the tree cause the injury, so these are nuances that you plug in.

With assault, actionable? I can yell at you until I'm purple. So look for the eminency.

With battery, look for extension of one self. You hit something out of my hand, cell phone, laptop, extension of one self.

False imprisonment. With that, words alone can be sufficient to imprison me, but to find cause, to have to be aware of the confinement or damaged by it. So you got to pay attention to the fact. Sometimes it will tell you the party is not aware and there's no injury. So I locked the patient by mistake and next morning, he is not aware nor damaged, he is not going to be sued for damages.

And locked in a department store. You don't have to have general damages, you can award based on punitive. But false imprisonment, you need true damages or awareness of the confinement.

Trespass of land. You don't need to know the land, somebody else's. This is one thing I see students with mistake. Mistake is not a defense. If you act with substantial certainty to walk on that pathway in someone else's land, you got intent. You committed trespass. And I will come back to that in a minute. Trespass to chattel, you need interference.

These intentional torts is what we called the five of trespass. Assault, battery, false imprisonment, trespass of land, and trespass to chattel. These five you can only use the transfer intent doctrine. You cannot use it for intentional emotional distress or conversion.

Trespass of land. In Multistate, the term is trespass. You need to know there's negligence trespass of land and there's intentional trespass of land. So the facts will tell you and see which one is being tested. With negligence trespass of land, you have to have actual damages. So the facts will dictate.

Example, an airplane needs to make an emergency and lands on a farmer's crops. You got to make the emergency landing so the conduct is intentional. I will sue for trespass of land. Versus if they tell you he inadvertently had to land, that's going to be negligent trespass because it had no wrong doing or intent on the pilot. With negligence trespass, you have to show damage. It's important.

Now, when you see intentional torts again, find as many as you can. You have another intentional torts. Conversion. It's a completion destruction. Intentional exercise of deminimum control. Substantial interference. The reason I want to clarify this is am I going to talk about trespass to chattel or conversion? I don't want to do both unless the facts raise both. Or on Multistate you have to pick which one.

With destruction, for sale, that's an issue of conversion versus trespass to chattel.

The other issue to look for is the substantial interference. So in essence, prime example is I go to bowling alley and I'm doing well. And I took the wrong ball. Which one I commit? Trespass to chattel or conversion? If I had a week for a week, that's substantial interference, I would argue that's conversion.

I didn't mean to take someone else's bowling ball, did I? But I acted with the substantial certainty of picking that ball and leaving with it, so that would be an intentional torts. So mistake is no defense.

Another one in is internal infliction of emotional distress. It's your job if it's intentional or if it's negligent infliction of emotional distress. There's a distinction between intentional, you need common law of the physical manifestation.

So identify as many as you can. The example is Tommy was angry with Peter. Tommy saw Peter walking along the road. Tommy jumped out of the car and stood over in the alley. Pushed him down, that's battery. So I have a battery. And stood over him. I told you about the and. And what could I argue what other intentional torts. False imprisonment. But it doesn't mean he doesn't have the mean to raise but that's an issue I would raise. So when you look at intentional torts look at how many you can grab onto.

Another thing to be aware. Every tort as causation. Actual cause and proximate cause. Look to see if it's an issue. For some issue, we can get away about cheating and not talk about causation with intentional torts or defamation or talk about cause with invasion of privacy tort. Do we? Look to the facts to see if they are an issue. If they are, then I want you to go through them. So the facts are going to dictate for you.

Now, once you proven intentional torts. Go to your damage. Do one intentional torts one at a time. Then damages, general, punitive based on the facts it will dictate what's that issue.

A lot of times students don't talk about damages when they go to intentional torts. You need to. That's important.

If you see a tort does exist, you should look for defenses. Always look for defenses. Intentional torts. Know consent, defense, defense of others, necessity. See if anything is being triggered. It doesn't mean it's going to be successful but based on the facts, you need to raise it. And that's my point value is going to come from. So I want to make sure I go through it.

The other thing with intentional torts, don't mix it up with crimes. We have battery in crimes, and false imprisonment in crime. Look for the call, please. They will give you a criminal answer choice which will fit perfectly if it's a crime question, but it's not. It's a tort question. So pay attention to that.

Did you know that criminal law is one of the lowest score in Baby Bar? It's because they trick people. They trick most people and they think, you know, torts, when it's criminal law or vice versa. I think that's how they are hurting people. So I got to pay attention to the call and make sure I break it apart. Intentional torts seems easy but they confuse on the Multistate. We got to be on it.

Another theory. Negligent. Highly testable. You see my setup I have it always lay out. I like to lay ut how I will write out on the test. Look for duty. I want to see if any special duties at issue. And I use an SOLD. What that stands for is S is statute. So I have violation of statute. Then the O is omission to act. L, lander, occupier, and D for deed for land.

Violation of statute, you need to show statute on the exam. With this and with the statute, you have to go through the elements. What's the intention of the legislature, member of the class and suffer what kind of injury. You got to break it apart. The longer the statute is, more likely it didn't violate it. So when you go through violation of statute and it fails then you jump down to your general duty. If you do prove up. Negligent per se, which establish duty of breach.

Next, the guess statue. You have to see the pattern. I pick up a hitchhiker, we are on a joint type venture. I haven't seen that tested.

Omission to act, general rule, what? No duty owed unless there's some relationship or enter steps to aid that party. Now there's a duty. One out there where the guy says help me back up into this driveway and I ignored you. I don't owe you duty. So when you run into another car, that's your own fault. I didn't undertake steps.

Or rescuer. Someone is drowning and I don't have a duty but you take steps to do so and I have a duty. That does come up in Multistate question.

Lander occupier. With the land owner occupier, the thing you need to know if these fail. I classify an invitee and you go behind door and employee only, that's trespassing. In California we do not classify. So what you rely on it's the general duty. It takes you back to general duty. Did you act in a reasonable prudent person. So someone comes to your door to sell something, they are licensee. Now see if their status changes, such as they trespass where it says no trespassing and when they walk through your front door, when you tell them to stay there.

An invitee is the benefit of the owner, Disneyland, hotel, resort, usually someone in business making money off of you.

And it's important to classify them because that held to the standard of care that's owed.

And then you go have duties to lesser of land, Baby Bar tested this three years ago. I ran a building to you and this is when somebody did rent building and they had old newspaper stuff and a fire broke out. It wasn't the newspapers that caused the injury. The firefighter and dropped the gun from the head because he fainted. So the injury was based on the smoke and not the nape. And that would bring up the duty of lesser land. So I want you to be prepared.

So you always want to start off negligence and ask yourself, is this special duty triggered. If not, fall back on general duty. Reasonable prudent person. The other is car doe zoo‑Andrews. CARDOZO/Andrews. If I hit your car, that's not C/A problem. Now the person across the street suing me now, it is, because there's no relationship with us. No contact. So that's C/A, something that's remote. There's one out there where they tested where the child is allowed at the golf to run little golf cart and he ran into another golfer and she hit the ball which went to a power PLANT. Where the ball went in and shut down the power. And this man needed the vend later machine and he died. And the state suing that little boy. That's a C/A problem. The woman he hit with a golf cart, direct relationship. And the person that needed the ventilator, there's no relation, but that's Andrew, and Cardozo problem. Child can be held a standard of care based on age, and adult activity. If you are engaged in that adult activity you are held in higher standard. With common carer, you held a higher standard to the occupant of the vehicle, the train, the plane, ship, whatever it is. And you go to your breach.

With breach, look to the facts. So you don't know how to breach occurred. They used to test there's no evidence how the pebble got in the pie. They got know that res ipsa loquitur you have no way to know.

The bakery is in control that bag of flour. It shouldn't happen. Negligence. And plane did not contribute to injury.

Causation. Causation is big, why? Because it's always tested. So it does come up with a lot of torts. So know it.

One area they like to test is your successive tortfeasors. Mary, got in car accident, and the doctor gave the wrong medication. Am I responsible for the doctor's conduct? I would be under this.

Cause is huge. There are steps I will teach you. It's an easy concept. If you break it apart.

First, is it a direct act? My car runs into yours. Is it foreseeable if I run you over you will get injury. Yes. If I hit your car, the paramedic were called and paramedics on the way to the collision, runs a red run and injury one of the paramedics. Was it depended or independent? It's depended because I put the chain in motion that paramedic had to be called out into the see. Is it foreseeable or not? The negligence of the third party is always foreseeable. Someone running a red light and hit a paramedic truck is foreseeable. If you break it apart, so it sounds like you know what you are talking about and break it apart you will know the answering choice

Foreseeable, normal acts, acts of animals, negligence of third party. They can change it on you. There's one, where the professor gave a letter of recommendation to one of the students knowing the student molested the student's daughter. And he is giving recommendation to a children's camp. Is it foreseeable that he will molest somebody? Yes. Based on the general acts, yes, the facts can change on you so you have to pay attention to our facts.

And once you show causation, damages, general/special.

And then look to your defenses. In your defenses. You got contributory negligence, last clear chance and assumption of the risk.

With contributory negligence, the last clear chance doctrine. And I come back and see, look here defendant, did you have the last clear chance to prevent the injury. So it's an important doctrine to see if I can save it. If you do see defenses or contributory negligence or comparative negligence, it's the jurisdiction.

Strict liability. Animals. So focus on the animals, compensity. You are going to know based on the facts. So in regards to the exam, they had one out there with puppies, it bit the lady bad and you bring strict liability. It's a domestic animal. And then I will look so does that puppy propensity, they do have biting but not viciously. So no liability, then move on to argue negligent. If that fails, and see if you want to save it with negligence.

Versus abnormally dangerous activity. Liability is going to result regardless. You are blowing up a dam, crop dusting, fumigation. You still need your causation, damage and defenses, once you show strict liability as well.

With strict liability on a Multistate, if I have a fact pattern that I can support fact for strict liability but also supports negligence, which one I will choose? I will choose strict liability because I don't have to show duty and breach. I don't have to show, your fault no matter what.

Electricity, not strict liability. So there are certain things in the law we can't do that. Remember when you do see strict liability on land, that means not with animals, you look to private nuisance. If you see strict liability look to see if you can argue private nuisance.

Products liability. This is an area I want you to get to know because it's right to testing. You have several theory under product. Battery, negligence, warranty, and strict liability in tort. With battery, what do I need to see?

Battery it's intent. One example that comes to mind is a manufacturer knew this medicine can cause blindness. Battery. You knew. You will know based on the fact if battery is tested. Plead alternative. If you found battery and continue on to see if you called argue negligence, and likely could and warranty and, et cetera.

With negligence, I always type of the defect in the breach. Remember with products liability you always have to show the defect. Manufacturing defect, design defect or warning defect.

Manufacturing the product different in kind from the rest of the line. One which is gray code, farmer and the milk. Dairy cow fed the grain and defect in milk. Manufacturer defect. By eating the tainted seed with the grain that caused contamination.

Warning defect you fail to know there's something bad with the product. And design defect, failure in the design then we should do something about it.

When you do see products liability issue, I tell students look to see if you can argue multiple ways to show a defect. Don't just argue one. Look for multiple ways. And once you show defect, causation, damage, defenses.

You have warranty and express warranty. That's rare. With express warranty you will see representation. And look for the representation expressly stated. Not always going to happen. I want to hide it from you. You will look for it in the label of the product. This helmet is guaranteed to survive the crash. And this rider crashed and died. So that is an expressed warranty.

Implied Warranty. I'm going to take a chair and stand opposite it. What's the foresee of public using this?

Fitness. You have to see some kind of representation. When you see express representation, implied warranty of fitness will come with it.

And then, of course, don't forget to look to causation, damages, and defenses.

And you have your strict liability in tort. Again, show the defective product, causation, damages, defenses. I want to point out to and make sure you understand is when you have a products liability exam, and basically says liable for products. What theories? You will always address, no matter what, negligence, implied merchant liability and tort. You will always have those three concept. Whether it's manufacture, distributor, retailer. There's a caveat with retailer. You have to be careful in regards with the breach. If the product from retailer already put together, how do I breach my duty unless I had notice there's defect. I use the Tylenol, they had an issue. Contaminated. So can I sue CVS for breach? No. Once they knew they didn't pull off the shelf, that's different. But liability for merchant liability and strict liability in tort. That's when they can go to indemnification and contribution.

Vicarious liability. Employer/employee relationship. And impute employee's conduct to the employer. The key thing to watch out for is is it an independent contractor or none delegable duty. Independent contractor, they are on their own. But non‑Dell eligible duty, they are held responsible.

Elevator. It's nondelegable duty ‑‑ parent/child, you are not liable unless you have notice.

Bailer‑bailee based on the relationship. So you go to a hotel and you give them something to place in the safe. Or I go to park my car and I give my key. I expect to get my car back. If I come back and argue, that company will be responsible for that employee based on bailer‑bailee relationship.

Nuisance. Public and private. So they can't hide the public. Big one is defamation. Big. With defamation, I see with students is they don't break apart the elements. I don't know why. You should treat defamation as you do negligence. What do I mean? Is it false a defamatory statement? Published intentionally or negligently. Third party who knew and understood. Damages and defenses. We have a tenancy to snowball all this together. Can't do it. So I do want you to break apart.

Break apart the statement. What do I mean? A lot of times people don't understand is that it's an opinion. Darby is a snub. That's an opinion. Judge doesn't know the law. Is that a fact or opinion. He's often drunk on the bench. That can be defamatory and be held accountable. So with defamation, you break things apart.

The term libel per quod what it means it's not defamation in its face. And I need evidence. And that's what libel per quod is about. So if I point out that well, judge ‑‑ Mr. Bright doesn't know the law at all. Who cares. But that he is a judge? That might change things. So that might be libel per quod. That will change the meaning that can make it defamatory. That can be libel per quod. It doesn't come up a lot.

Libel vs. Slander. Libel, you see it with your eyes. Newspaper, magazine, advertisement. They are looking at the law based on permanency. If something is broadcasted on the radio, that's slander. That's libel, that's permanency. People heard it and projected and recording, that's considered to be libel. Versus slander is something you hear. And you forget things so they figure it's not as much. So you have to show general damages if it's slander. If it's libel, general damage is presumed. If you show slander per se, then general damage will be presumed. What does that mean?

Per se means it's dealing with a crime defaming you, CLUB crime, unchaste act of a female loathsome disease, and profession. They will be presumed.

Here's the trick. A lot of people from other sources special damages. You can never presume special damages. You don't have to prove them up but you won't get them either. If you want special damages you need to prove up special damages. They are never presumed. What they are saying with defamation, you don't have to prove the special damages, you can show slander per se and general damages and go on our way. But if you want special damages, let's say loss of income or medical expenses, you have to prove them. Not going to just pay to you.

Defenses, qualified privileges, constitutional privileges. Absolute privileges. Constitutional privilege, public matter concern. Absolute privileges like your debate on the floor. Judicial stuff like that. So you want to look to those. Constitutional privileges is number one tested and you have other defenses such as truth, consent which they come up.

Defamation, one. Break it apart. Analyze it and dissect it. And what theory, invasion of private eyes.

Defamation done intentionally or defame because I'm angry, you would raise the issue, intentionally infliction of emotional distress. So about two years ago on the Baby Bar, the call of the question what intentional torts. When you read the fact patterns, cow and Dolly, they didn't like her, they wanted her fired so they said bad things about her. And people didn't realize they put the pill in her coffee mug and she falls asleep. If defamation is done intentionally, it's an intentional torts. Sometimes we have to broader in our vision. So it could be intentional torts. So sometimes, and I want you to think about is if it doesn't mirror your checklist perfectly, your gut instinct is probably correct. So you have to bring that fact pattern, defamation.

Now invasion of privacy. I consider these like an umbrella. What do I mean? Well, you have false eye in the public eye. Intrusion upon seclusion, and appropriation of name or likeness. If see that, see how many you can grab onto. You are disparaging the in public.

Innovating of privacy is I'm invading your space.

Public disclosure of private facts. I told somebody about your medical history. That's generally a private fact. Arrest record? That's not public fact.

Again, you are going to see that more likely on the multiple choice. What about appropriation of name or likeness. That comes up in the Multistate. You are receiving a monetary gain for something. For example, I go take pictures of movie stars and sell those pictures, that's okay. That's not appropriation of name or likeness. How it comes up is you are using an image to make yourself money. By taking a picture of the movie star, look who eats in my restaurant or brings dry clean to my establishment. I'm taking your image and use it.

An example, a spokesperson sounded like Bette Midler. People identify her voice, and identified that she is endorsing this dealership for cars. That's appropriation of name or likeness. They can't do that. You are making money off their image that they built so hard of. But if I took a picture of them and sell it, that's okay.

Or you probably see in restaurants, pictures of movie stars on a wall. That's okay.

Business torts. Interference with contract has to be an existing contracts. They are boring oriented. Interference with protective advantage. It's not a contract yet but I interfered. I do something to interfere from that.

Improper litigation tort.

Misrepresentation. That could come your way. With misrepresentation, you have intentional misrepresentation also known as fraud or deceit. So intentional misrepresentation is same tort as fraud and deceit. You need to show it's intentional misrepresentation. Material fact and you need alliance. Test, is it material? So look to see would a reasonable person rely on this information and did you rely?

So you will see fact pattern where someone is buying a particular piece of property and they ask about it and seller intentional says, it's not expensive knowing it is. Let's say the buyer already knew but just asked about it then there's no reliance. The fact will tell you.

You should have known when you made the representation. The key things is these can come up with Baby Bar. You will see there's a big primary difference, we have remedies. But you don't have to know that so you won't have to worry about it. You would focus on the remedies in that case.

This is a tort in a nutshell. You want to make sure and this is why and you will hear me say and I assume you know what I'm talking about, sometimes I realize you don't. You have to plug it back into a checklist. And what does that mean? When you take a Multistate and you miss it. What is it that I can pull out and learn from? Was it testing intent in battery? Harmful offense, whatever it is, proximate cause, I missed this one. This is how it can be tested. I didn't see that. So I want you to relate it back. I used to put a word or two. I can still remember, sad, it's been close to 30 years when I took the bar. I still remember that baseball diamond exam. There's an empty lot where our neighbor went to build a baseball diamond and mount and glass. And a little boy was injured, and it was negligence, and it's wrong. It's strict liability. Where is the normal dangerous activity. Then I reflected. Oh, I can see, it says, if there's a nonnatural use of the land cause harm, that's the common law and evolved from there. So you did use the natural use that cause the harm. So strict liability is a better choice. So little things you plug back in and you remember and you won't miss it and it's important. And you are teaching how the concept is tested.

Negligence is highly testable. So something I want to be strong in. Defamation is right for testing and you want to work on your defamation in case it does come up, because I want to do well on the examination. And the more you have structure setup for yourself, not only understand if I see this, this is my format and you have a good understanding, how has it come up this way or this way, what I can say half the exam is done, go to Baby Bar and open up the computer and maybe sure you comprehend the fact.

Under negligence, do you owe duty in due care. Let's say girl Scott cookie, she is a licensee. And you have a coy fish pond. And she thinks it's kind of nice. And you say, buy cookie and stay here. She falls in that pond and gets injury. The issue is she was a licensee, she went beyond she was given consent. She is a trespasser. And under that, you do not owe a duty to care. Then we fall back if we can argue, nuisance doctrine to give her that duty. She is didn't understand the danger in regards to your should have known likely to trespass and go through the elements and see if they are supportive of the facts. So it's a fall back, land occupier under the duty element. And there's another thing I hop on is my checklist. It's going to tell me where everything fits. And the good thing about it is if I get stuck on an exam, what is this raising. I don't see the issue, where are you? I see the facts, show the duty, show the breach. And facts below me give me the danger, so it's causation and I will break apart causation to see what they are testing me. That's a fall back. That's another avenue or another tool I can use to make sure I get the issue. Does that make sense to you and answer your questions?

All right. Now what? At that point you will be sent an essay question, and some multiple choice questions. I would recommend for you to read the questions, so you want to read the call of the question first. Look at your call, because it's going to give things away. And even though you are taking the up and coming Baby Bar that you I do will have it on the computer, practice right now and force yourself so when we talk, write what the call told you. So we get used to this, right?

So again, if the cause is what theory or theories. There's two more theories. Intentional torts. Not one, two. It's telling me I need to look for two or more. Make sure you follow that. In regards to defenses, true defenses or counter argument. I read the facts to see what's being tested.

So in the call of the questions, what theory or theories can Tom be liable of Thomas. Theory or theories, two or more. They are entity. By that I know there's vicarious liability. So the language is very important in breaking apart the call to see what they are asking, that's highly important as well. I want to make sure you understand.

Read the facts. Break it apart. Issue spot it so see if you can see the actual issues.

And that include inner issues. Those are important. We don't want to leave anything on the table. I will send out the essay question on Friday.

You will also be send 33 multiple choice questions. They are not hard. So don't be afraid of them. Five out of ten what you will see. I want you to start practicing your skill. The more you understand how things are tested is going to help you to break it apart. For those taking the Baby Bar, it will be on the computer. You will be able to highlight but you won't be able to physically mark them up. So that's something that I would recommend you to do in practice. Get used to it.

I know they ‑‑ I don't know if they send you yet your mock exam, practice exam to make sure you have the software and stuff. When they do, I recommend you do them. You get two and play with them so you get the concept down and familiarity. The more familiar I am before I go in the door, that's going to help me and reduce any anxiety because I always panic. Anything to lower that anxiety level is going to help you immensely.

During torts, shoot me an e‑mail and I will help you.

We have a big building block coming your way. After we go through tort after you study and essay questions, we will go to contracts. What does that mean? That means you still will go through torts. You will not abandon torts. You keep it up and do Multistate in that break and break it apart. Why? Because otherwise everything you learn you will forget then we will be in a bad position.

So I want you to continue on and when we go through contract. Same thing. Torts and contract and criminal. So it's a building process.

The other thing a student asked me today in regards to how to study. Well, you have been through law school. What I have done is I pull out my checklist. The one thing we like to do is read. We don't like to do writing exam and Multistate. That's human nature. But I want you to do is pull out that checklist. Intentional torts. Do I know what they are? Okay. I know. Can I say rule about them. Battery is intentional torts. Offensive harmful touch of another. How is this tested? Do I know an example? Not really. So look up a Multistate on the intentional torts. And I will go through the rest of them. If I have a good understanding about my intentional torts, I'm not going to read eligibles on it. I feel comfortable. Pull out just intentional torts on the Multistate and do those and see where my weakness is. And next. Negligence. Walk through it and I don't know what res ipsa loquitur.

I don't have time to read Gilberts cover to cover. Plus, on memory, we don't remember that much but the more application I can get you to do, plug it in and break it apart, you are not going to forget. To this day, I don't have notes, it's in the brain. I took it apart so much, it's stuck. The more I can get you to do, it's there. When it comes to bar time, it will come right back because you took the time to understand the concept and plug it back in how it's tested so it's going to be in your memory bank. So good and Ernest, these are the three strong subjects when it comes to bar time. And I want you to get over the hurdle with Baby Bar. Do you have a good understanding of how to study and to do this week? Some of you are in school. Hard to joggle. I agree.

I don't want to give them my money by keep taking this test. The reason I go back to the MBs, it's the fastest way to find my weakness. I do some Multistate in that area and then points out my weaknesses real fast. That's the fastest source. Once I get done with torts. Then essay doing the Multistate. But I want to diagnostic, shall I say, pinpoint, where do I have holes, where do I need to work on. And it's surprising. So a lot of people will sit down and take, let's say the Multistate that we sent out to you now. 33. Take them and you get 15 correct. What's going on in your mind? Torts. You are depressed. Sad. Frustrated. But if we broke it apart, maybe you have problem with proximate cause and I don't understand defenses. Now I honed it in as to where I'm at. Now I feel better it's not that I don't know anything. It's that these two are my weak areas. That's your goal. You have to build yourself up. So if I can hone in on my weaknesses. It's these two concepts I need to work on. Sometimes it's sub concept but I don't understand as to fact versus opinion or something like that. You will hone in on that and that's what you will work on. We work on your weaknesses and strengths but I need to know what those are.

Any other questions? So you got a good understanding of how you will study and look for that e‑mail with the essay questions on Friday. Please, when you take the MBE, if you have questions on them, shoot me an e‑mail and I will go through it for you. Question 5 is the one most students have problem. Let's see why? Maybe misread the call or misread the question. Is it a tort, turning and negate or true defense? So we can learn together. Any questions? Remember, anything comes up please feel free shoot me an e‑mail. I'll be more than happy to help you. I do want you to succeed. If something comes up. Let me know. I wish you all the best in regards to the rest of the night. Stay focus. You can do this. You got to build the process and go from there. Anything comes up, you know where I'm at. Good night guys

(Event adjourned at 6:56 p.m.)