

SUMMER '94 FINAL—CHECKLIST

QUESTION 1

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|--|---|
| <input type="checkbox"/> Overview                        | <input type="checkbox"/> Defenses   |
| <input type="checkbox"/> Claim v. University             | <input type="checkbox"/> Statute of Limitations   |
| <input type="checkbox"/> Sovereign Immunity Statute      | <input type="checkbox"/> Claim must be filed within one year  |
| <input type="checkbox"/> § 63-30-10: negligent omission  | <input type="checkbox"/> Extensions?  |
| <input type="checkbox"/> Duty of care?                   | <input type="checkbox"/> Contributory negligence  |
| <input type="checkbox"/> did the U. create the risk?     | <input type="checkbox"/> Appears to require that the defendant be more at fault than plaintiff (§ 78-27-38) |
| <input type="checkbox"/> [Assumption of risk issue]      | <input type="checkbox"/> Drinking was probably negligent  |
| <input type="checkbox"/> Was there justifiable reliance? | <input type="checkbox"/> Assumption of risk   |
| <input type="checkbox"/> Enrollment in University?       | <input type="checkbox"/> treated as a percentage reduction  |
| <input type="checkbox"/> Camping trip                    | <input type="checkbox"/>  |
| <input type="checkbox"/> Becoming intoxicated            | <input type="checkbox"/>  |

QUESTION 2

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|--|---|
| <input type="checkbox"/> Overview                                | <input type="checkbox"/> Defenses based upon comparative negligence                           |
| <input type="checkbox"/> Williamson's negligence                 | <input type="checkbox"/> Statute: defendant, plus immune, must be greater than P's negligence |
| <input type="checkbox"/> Medical malpractice standards generally | <input type="checkbox"/> Assumption of risk   |
| <input type="checkbox"/> Expert testimony re standard of care    | <input type="checkbox"/> Would the employer be found negligent?                               |
| <input type="checkbox"/> Jury question / battle of experts       | <input type="checkbox"/> Any other parties potentially at fault                               |
| <input type="checkbox"/> Proximate cause question                | <input type="checkbox"/>  |
| <input type="checkbox"/> Informed consent probably not an issue  | <input type="checkbox"/>  |
| <input type="checkbox"/> Claim v. Walker                         | <input type="checkbox"/> Multiple tortfeasor liability issues                                 |
| <input type="checkbox"/> Duty owed                               | <input type="checkbox"/> Joint and several liability  |
| <input type="checkbox"/> Premises liability                      | <input type="checkbox"/> Statutory provision  |
| <input type="checkbox"/> Is he an invitee?                       | <input type="checkbox"/>  |
| <input type="checkbox"/> Did he use reasonable care?             | <input type="checkbox"/>  |
|  | <input type="checkbox"/>  |
|  | <input type="checkbox"/>  |

Exam Number \_\_\_\_\_