

BUSINESS LAW

CHAPTER 4 – VOCABULARY & CHAPTER QUIZ

TORT	TORTFEASOR	INTENTIONAL TORT
TRESPASS	REAL PROPERTY	PERSONAL PROPERTY
NUISANCE	FALSE IMPRISONMENT	DEFAMATION
PRIVILEGED	INVASION OF PRIVACY	NEGLIGENCE
BREACH OF DUTY	PROXIMATE CAUSE	STRICT LIABILITY
ASSUMPTION OF THE RISK	COMPARATIVE NEGLIGENCE	INJUNCTION
WRONGFUL DEATH STATUTE	ASSAULT	BATTERY
SLANDER	LIBEL	

1. _____ Wrong against an individual.
2. _____ When a person does not exercise the degree of care that a reasonable person would exercise in that same situation.
3. _____ Unlawful, unprivileged touching of another person.
4. _____ Unlawful restraint of a person. (Hint: Storeowner detaining a shoplifter.)
5. _____ Threatening to strike or harm with a weapon or physical movement, resulting in fear.
Example: pointing a gun at someone.
6. _____ The wrongful act of injuring another's reputation by making false statements.
7. _____ Statements that are not subject to a defamation lawsuit. Senators and Representatives who are running for office may fall under this.
8. _____ Something that produces a result, and without which, the result would not have occurred.
9. _____ Preserve the rights of third parties affected by the death of a person to bring a lawsuit.
10. _____ Negligence of each party is compared.
11. _____ Movable items such as cars, VCR's, or CD players.
12. _____ Interfering with a person's right to be left alone.
13. _____ Includes land and things built on the land, growing on the land, or located within the land.
14. _____ False statement made orally to a third party that injures another's reputation.
15. _____ False statement in written or printed form that injures another's reputation.
16. _____ Doctrine which states that the people engaged in dangerous activities will be held liable, regardless of how careful they were and regardless of their intent. Hint: boa constrictor.
17. _____ Defense to negligence where the defendant can show that the plaintiff knew of the risk involved and still took the chance of being injured.
18. _____ Anything that interferes with the enjoyment of life or property. Such things as loud noises at night, noxious odors, and smoke or fumes.
19. _____ An accidental or unintentional tort. The failure to exercise the degree of care that a reasonable person would have exercised in the same circumstances.

20. _____ A wrongful injury to or interference with the property of another.
Refers most commonly to real property.
21. _____ A wrong that occurs when a person knows the consequences of his or her act.
22. _____ A person who commits a tort.
23. _____ A court order issued by a judge ordering a person to do or not to do something.

Short Answer

1. List four intentional torts:

2. To win a lawsuit based on negligence, the plaintiff must prove four things. What are they?

3. T or F Tort lawsuits are brought by the state.

4. T or F Under today's law, property owners own the airspace to the highest point in the sky.

5. List two types of defamation. Indicate which one is written and which one is spoken.

6. A fan who is struck by a foul ball and injured at a baseball game will probably not win a lawsuit. Why?

7. Give an example of the doctrine of strict liability.

8. What are two remedies for torts?

9. T or F In order to be charged with trespassing, the person trespassing must do damage or harm to the property.

10. T or F In order to win a lawsuit for negligence, an individual must suffer some kind of loss, injury, or harm.

11. What are three defenses for negligence?