

## Supplement Index

### **ABANDONMENT**

Conversion, 2:8.1, 4:2, 5:5, 5:10,  
7:5, 17:10  
Medical malpractice, 2:8.1, 5:5, 5:10,  
7:5

### **ABATEMENT**

Defenses, 2:3, 7:13

### **ABILITY**

Assault, 1:1, 2:5, 2:8.1, 4:6, 16:1

### **ABSENCE**

Circumstantial evidence, 3:2, 9:5,  
20:1  
Death, 1:1, 2:3, 2:7, 2:8.1, 2:12.5,  
3:1 to 3:4, 3:8, 4:1 to 6:1, 6:3,  
6:5, 9:2, 9:4, 9:5, 12:2, 12:6

### **ABSOLUTE PRIVILEGE**

Defamation, 20:4  
Judicial proceedings, 20:4

### **ABUSE OF PROCESS**

Absolute immunity, 7:6.1  
Attorneys, 2:3, 4:2, 7:5, 7:6.1, 14:3,  
20:1  
Bankruptcy proceeding, 4:2, 7:5  
Damages, 2:3, 4:2, 7:5, 20:2  
Default judgment, 2:3, 7:5  
Defenses, 2:3, 7:5, 7:6.1  
Disciplinary proceeding, 7:5  
Elements, 2:3, 4:2, 7:5, 20:1, 20:2  
Elements of, 2:3, 4:2, 7:5, 20:2  
Favorable termination, 20:1  
Generally, 2:3  
History, 2:3, 4:2  
Incompetence, 2:3  
Legal process, 20:2  
Punitive damages, 4:2

### **ABUSE OF PROCESS—Cont'd**

Statute of limitations, 2:3, 4:2, 7:5,  
7:6.1

### **ACCIDENT**

Release, 2:3, 2:7, 3:1, 4:2, 5:5, 10:6,  
10:7, 16:1

### **ACCOUNT STATED**

Implied, 5:3  
Statute of limitations, 3:3, 5:2, 5:3

### **ACCOUNTANT MALPRACTICE**

Continuous representation, 5:9  
Retainer, 2:7, 5:9  
Standard of care, 2:7  
Statute of limitations, 2:7, 5:9

### **ACCOUNTANTS**

Fraud, 5:5, 9:4  
Malpractice, 5:5, 9:4, 10:26  
Negligence, 5:5, 9:4  
Negligent misrepresentation, 9:4  
Services rendered, 5:5

### **ACCOUNTING**

Negligent misrepresentation, 1:4,  
2:3, 2:5, 5:4, 7:5, 9:4

### **ACTUAL HARM**

Checks, 2:8.1  
Defamation, 5:4  
Malicious prosecution, 5:4

### **ADJUSTERS**

Insurance, 5:15

### **ADMISSIONS**

Battery, 2:8.1  
Conduct, 2:1, 2:2, 2:8.1, 3:1, 5:5,  
7:5, 8:4, 9:2, 10:4, 10:18, 19:14

**ADMISSIONS—Cont'd**

Insurance, 2:1, 2:2, 2:8.1, 3:1, 5:5,  
7:5, 9:2, 19:14  
Statement, 2:1, 2:2, 2:8.1, 3:1, 5:5,  
7:5, 8:4, 9:2

**ADVERTISING**

Contracts, 2:8.1, 4:1  
Offer, 2:8.1, 4:1, 9:4, 10:6  
Products liability, 10:6

**ADVICE**

Insurance, 1:1, 1:3, 1:4, 2:1 to 2:3,  
2:5, 2:7 to 2:9, 2:12.5, 3:1 to  
3:3.1, 3:5, 4:1 to 5:3, 5:5, 5:7 to  
5:9, 5:15, 6:2, 6:4 to 7:5, 7:8,  
7:13, 9:2, 10:1, 10:6, 10:25,  
14:7, 19:14, 21:6  
Medical malpractice, 1:1, 2:7, 2:8.1,  
3:1 to 3:3, 4:1, 5:3, 5:5, 5:7,  
5:9, 5:10, 7:5, 7:13, 8:4, 8:5,  
9:2, 9:4, 10:6, 10:7, 10:25,  
12:6, 14:7, 19:14, 20:7

**ADVICE OF COUNSEL**

Insurance, 2:12.5, 3:3

**AFFIRMATIVE DEFENSES**

Burden of proof, 7:13  
Defamation, 7:13

**AGE**

Employment discrimination, 9:4,  
10:20  
Insurance, 5:3, 6:4, 15:3  
Juror, 9:4  
Wrongful death, 5:3, 9:4

**AGENCY**

Conflict of interest, 1:4, 2:3, 2:5,  
2:8.1, 3:1, 6:2  
Contracts, 1:1, 1:4, 2:3, 2:8.1, 4:1,  
6:2  
Conversion, 2:3, 2:8.1, 3:1, 3:3.1,  
6:2, 7:13  
Defamation, 7:13  
Fiduciary duty, 1:1, 1:4, 2:1, 2:3,  
2:5, 2:8.1, 3:1, 3:3.1, 4:1, 6:2,

**AGENCY—Cont'd**

7:13, 8:2, 9:6, 18:11  
Insurance, 1:1, 1:4, 2:1, 2:3, 2:5,  
2:8.1, 3:1, 3:3.1, 4:1, 6:2, 7:1.1,  
7:13, 18:11  
Medical malpractice, 1:1, 2:8.1, 3:1,  
4:1, 7:13, 18:11  
Warranties, 3:1

**AGGRAVATION**

Damages, 2:7  
Medical malpractice, 2:7

**AIDING AND ABETTING**

Conversion, 2:7, 5:3, 6:2, 6:4, 7:5,  
8:10  
Defamation, 5:3, 7:5  
Fiduciary duty, 2:7, 2:8.2, 5:3, 6:2,  
6:4 to 7:5, 8:4, 8:5, 8:10, 12:6,  
17:9, 18:11

**ALIBI**

Malicious prosecution, 16:1

**AMBIGUITY**

Insurance, 2:5, 3:1, 5:15, 21:5

**ANIMALS**

Children, 5:3, 12:2  
Control, 2:4, 5:3  
Damages, 2:4, 5:3, 8:9, 12:2  
Negligence, 2:4, 5:3, 8:9, 12:2

**ANSWER**

Generally, 2:3

**APPORTIONMENT**

Attorney malpractice, 5:2  
Construction, 5:2  
Costs, 5:2, 10:6  
Family members, 19:10  
Good faith, 5:2  
Liquidated damages, 10:6  
Medical malpractice, 10:6  
Mental anguish, 10:6  
Products liability, 10:6  
Proximate cause, 3:4, 10:6  
Release, 10:6

## INDEX

### **APPORTIONMENT—Cont'd**

State, **10:6**  
Statute of limitations, **3:4, 5:2**  
Wrongful death, **3:4, 19:10**

### **ARBITRATION**

Abuse of process, **2:3, 4:2, 7:5**  
Architects, **2:8.1**  
Collective bargaining agreement, **1:1, 7:13**  
Contracts, **1:1, 1:4, 2:3, 2:8.1, 4:2**  
Defamation, **2:4, 7:5, 7:13**  
Federal arbitration act, **10:26**  
Medical malpractice, **1:1, 2:8.1, 3:1, 3:3, 5:5, 7:5, 7:13, 8:4, 10:6**  
No-fault law, **3:1**  
Stay, **2:4, 3:1, 5:15**

### **ARCHITECTS**

Expert testimony, **2:8.1, 9:4**  
Premises liability, **2:8.1**  
Services rendered, **2:8.1**

### **ARREST**

Assault, **2:8.1, 16:1**  
Battery, **2:8.1, 5:13, 16:1**  
Emotional distress, **2:3, 3:3**  
Malicious prosecution, **16:1**  
Warrant, **2:8.1**

### **AS SOON AS REASONABLY POSSIBLE**

Insurance, **21:4**

### **ASBESTOS**

Damages, **2:5, 5:3, 6:2, 7:5**  
Insurance, **2:5, 5:3, 6:2, 7:5**  
Statute of limitations, **2:5, 5:3, 7:5, 7:6.1**

### **ASSAULT**

Causation, **1:4, 2:5, 2:8.1, 4:1, 9:3, 14:7, 16:1**  
Defenses, **2:8.1, 4:1, 9:3**  
False imprisonment, **16:1**  
Insurance, **1:1, 1:4, 2:5, 2:8.1, 4:1, 14:7**

### **ASSAULT—Cont'd**

Intent, **1:1, 2:5, 2:8.1**  
Intentional conduct, **2:5**  
Premises liability, **2:8.1**  
Punitive damages, **4:1, 4:6, 9:3**  
School, **1:1, 2:5, 2:8.1, 16:1**  
Sexual assault, **19:6**

### **ASSIGNMENT**

Defenses, **7:5, 7:13**  
Fraud claims, **3:1, 7:13**  
Requirements, **1:1, 2:1, 2:5, 3:1, 6:1, 7:5**

### **ASSISTANTS**

Medical malpractice, **18:11**

### **ATTACK**

Defamation, **5:4, 7:13**

### **ATTORNEY GENERAL**

Malicious prosecution, **16:1**

### **ATTORNEY MALPRACTICE**

Affirmative defense, **2:3, 2:5, 3:1 to 4:2, 6:4**  
Another, **1:1, 2:1, 2:3, 2:5, 2:8.2, 3:1 to 3:3, 3:5, 4:1 to 5:5, 5:7, 5:9, 5:15, 6:1, 6:4, 6:5, 9:2 to 9:4, 17:5**  
Appeal, **1:1, 2:1, 2:3, 2:5, 2:8.2, 3:1 to 3:3, 3:5, 3:6, 4:1 to 5:7, 5:9, 5:15, 6:1, 6:2, 6:4, 8:3, 9:2 to 9:4, 13:8, 17:5, 21:2**  
Attorney-client relationship, **1:1, 2:1, 2:3, 2:5, 2:8.2, 3:1, 3:3, 5:2 to 5:7, 5:9, 5:15, 6:1, 6:2, 6:4, 6:5, 8:3, 9:2 to 9:4**  
Burden of proof, **2:1, 3:1, 3:2, 3:6**  
Causation, **2:1, 2:3, 2:5, 2:8.2, 3:1 to 3:3, 3:5, 3:6, 4:1 to 9:4, 17:5**  
Collusion, **6:1, 6:4, 8:3**  
Conflict of interest, **2:3, 2:5, 2:8.2, 3:1, 3:5, 4:2, 5:2 to 5:5, 6:1 to 17:5**  
Contracts, **1:1, 2:3, 4:1 to 5:3, 6:2**  
Contribution and indemnity, **5:3**

**ATTORNEY MALPRACTICE**

—Cont'd

Corporation, 1:1, 2:1, 2:3, 2:5, 2:8.2, 3:1 to 3:3, 3:5, 4:1 to 5:7, 5:9, 5:15, 6:1, 6:2, 6:4, 6:5, 8:3, 9:4, 17:5

Criminal case, 2:3, 2:5, 3:1 to 5:3, 5:5, 5:15

Damages, 1:1, 2:1, 2:3, 2:5, 2:8.2, 3:1 to 3:3, 3:5, 4:1 to 5:7, 5:9, 5:15, 6:1, 6:2, 6:4, 6:5, 9:2 to 9:4, 13:8, 17:5, 21:2

Death of client, 5:3

Dual representation, 5:7, 5:9, 9:3

Emotional distress, 2:3, 2:5, 2:8.2, 3:3, 4:2, 5:2, 5:4

Exceptions, 1:1, 5:3, 6:1

Fiduciary duty, 1:1, 2:1, 2:3, 2:5, 2:8.2, 3:1 to 3:3, 3:5, 4:1 to 5:7, 5:9, 5:15, 6:1, 6:2, 6:4, 6:5, 8:3, 9:2 to 9:4, 17:5

Fraud, 1:1, 2:1, 2:3, 2:5, 2:8.2, 3:1 to 3:3, 3:5, 3:6, 4:2, 5:2 to 5:7, 5:9, 5:15, 6:1, 6:2, 6:4, 6:5, 8:3, 9:3, 9:4

Independent contractor, 9:3, 9:4

Insurance, 1:1, 2:1, 2:3, 2:5, 2:8.2, 3:1 to 3:3, 3:5, 4:1 to 5:3, 5:5, 5:7, 5:9, 5:15, 6:1, 6:2, 6:4, 6:5, 9:2, 13:8, 21:2

Letters of engagement, 1:1

Marketable title, 3:1

Matter of law, 1:1, 2:1, 2:3, 2:5, 2:8.2, 3:1 to 3:3, 3:6, 4:1, 5:5, 5:7, 5:9, 5:15, 6:1, 9:3, 9:4, 13:8

Partnership, 1:1, 2:1, 2:3, 2:5, 3:1, 3:3, 4:1, 5:4, 5:5, 5:7, 5:15, 6:1, 6:4, 9:4, 21:2

Privity, 1:1, 2:3, 3:1, 6:1, 6:2, 6:4, 6:5, 8:3

Proximate cause, 2:1, 2:3, 2:5, 2:8.2, 3:1 to 3:3, 3:5, 3:6, 4:1, 4:2, 5:5, 5:6, 6:1 to 8:3, 9:2 to 9:4, 13:8, 17:5

**ATTORNEY MALPRACTICE**

—Cont'd

Punitive damages, 2:8.2, 4:1 to 6:1, 9:3

Real property, 1:1, 2:5, 3:1, 3:3, 4:1 to 5:5, 5:7, 5:9, 5:15, 6:1, 6:5, 9:3, 9:4, 13:8

Reasonable care, 1:1, 2:1, 2:3, 2:5, 3:1, 5:3, 5:5, 5:7, 6:5, 9:3

Retainer agreement, 1:1, 2:1, 2:8.2, 5:3, 5:9, 5:15, 6:2, 6:4 to 9:4, 13:8

Separation agreement, 3:1

Services rendered, 3:1, 5:2, 5:4, 5:5, 6:2, 6:5, 9:3, 13:8

Settlement, 1:1, 2:3, 2:5, 2:8.2, 3:1 to 3:3, 3:5, 3:6, 4:1 to 5:7, 5:9, 5:15, 6:1, 6:2, 6:4, 6:5, 8:3, 9:3 to 17:5

Standard of care, 2:1, 2:3, 2:5, 2:8.2, 3:1 to 3:3, 3:5, 4:1 to 5:2, 6:1, 9:2 to 9:4, 17:5

Statute of limitations, 2:3, 2:5, 2:8.2, 3:1, 3:3, 4:1 to 5:7, 5:9, 5:15, 6:1, 6:5, 9:2 to 9:4

Subrogation, 2:5, 6:2, 6:4, 6:5

Successful result, 3:3

Successor attorney, 3:3, 6:4

Summary judgment, 1:1, 2:1, 2:3, 2:5, 2:8.2, 3:1 to 3:3, 3:5, 3:6, 4:1 to 5:7, 5:9, 5:15, 6:2, 9:2 to 9:4, 13:8, 17:5

Third party, 1:1, 2:3, 2:5, 3:1 to 3:3, 4:2, 5:4, 5:7, 6:1, 6:2, 6:4, 6:5, 9:3, 9:4, 13:8

Title, 1:1, 2:3, 2:5, 3:1, 3:3, 4:1 to 5:3, 5:7, 6:1, 6:2, 6:5, 9:3, 9:4, 13:8

Treble damages, 2:1, 2:3, 3:1, 4:2

Waiver, 3:1, 3:3, 4:2

**ATTORNEY-CLIENT PRIVILEGE**

Insurance, 1:1, 1:3, 1:4, 2:12.5, 5:3, 6:5

**ATTORNEY-IN-FACT**

Fiduciary duty, 6:5, 9:5, 12:6

## INDEX

### ATTORNEYS

Abuse of process, 2:3, 4:2, 7:5,  
7:6.1, 14:3, 20:1  
Advice of counsel, 2:12.5, 3:3, 5:6  
Agents, 1:1, 1:4, 2:7, 3:1, 6:1, 7:7,  
8:6, 9:3, 10:6, 18:10, 20:7, 21:2  
Character or reputation, 2:8.1  
Check, 2:1, 2:8.1, 3:1, 3:5, 4:6, 5:5,  
6:5, 7:13, 8:4, 9:3 to 18:5  
Conflict of interest, 1:2, 1:4, 2:3, 2:5,  
2:7 to 2:8.2, 2:11, 3:1, 3:5, 4:2,  
5:2 to 5:5, 5:10, 6:1 to 6:3, 7:5,  
7:6, 8:4, 9:3, 9:4, 16:1, 17:5,  
17:7, 19:2, 19:5, 19:9, 19:12 to  
19:14, 20:6, 20:9  
Contracts, 1:1, 1:4, 2:3, 2:8.1,  
2:12.2, 4:1 to 5:3, 6:2, 17:8,  
17:9, 20:7  
Defamation, 2:4, 2:12.5, 5:3 to 7:5,  
7:13, 10:5, 10:14, 20:7  
Disbarment, 2:8.1, 2:12.2, 19:14  
District attorney, 16:1  
Emotional distress, 2:2, 2:3, 2:5,  
2:8.2, 3:3 to 4:2, 4:6, 5:2, 5:4,  
5:8, 7:5 to 8:6, 10:5, 16:2,  
19:12, 21:6  
Employment discrimination, 2:5, 3:1,  
3:2, 4:4, 4:6, 5:5, 5:9, 9:3 to  
10:3, 10:5, 10:8, 10:18, 10:20,  
10:21, 17:7  
Fiduciary duty, 1:1 to 1:4, 2:1, 2:3 to  
2:5, 2:7 to 2:8.2, 2:12.5, 3:1 to  
3:3.1, 3:5, 4:1, 4:2, 4:4, 4:6, 5:2  
to 5:10, 5:13, 5:15, 6:1 to 6:5,  
7:2.1, 7:5, 7:13, 8:2 to 8:6,  
8:10, 9:2 to 9:5, 10:3, 10:6,  
10:7, 10:21, 10:25, 12:3, 12:6,  
14:7, 16:2, 17:5, 17:7, 17:9,  
18:11, 19:2, 19:5, 19:14, 20:6  
Fraud and deceit, 5:10, 5:15  
Good faith and fair dealing, 1:4, 2:3,  
5:2, 10:25  
Guardian, 1:1, 1:4, 2:7, 3:1 to 4:2,  
5:5, 6:4, 7:5, 7:6, 8:2, 8:5, 8:6,  
8:9, 9:4, 12:2, 12:6, 19:14

### ATTORNEYS—Cont'd

Insurance, 1:1, 1:3, 1:4, 2:1 to 2:3,  
2:5, 2:7 to 2:9, 2:11, 2:12.5, 3:1  
to 3:3.1, 3:5, 4:1, 4:2, 4:4, 5:2,  
5:3, 5:5, 5:7 to 5:9, 5:15, 6:1,  
6:2, 6:4, 6:5, 7:1.1, 7:5, 7:7,  
7:8, 7:13, 9:2, 10:1, 10:5, 10:6,  
10:8, 10:9, 10:15, 10:17, 10:25,  
13:8, 14:3, 14:7, 15:3, 17:10,  
18:2, 18:4, 18:11, 19:2, 19:5,  
19:14, 20:6, 21:2, 21:5, 21:6  
Interference with contractual rela-  
tions, 2:3, 3:1  
Juror, 9:3 to 9:5, 10:25  
Letters of engagement, 1:1  
Malicious prosecution, 5:4 to 8:6,  
16:1, 20:1, 20:6, 20:7, 20:9  
Negligent misrepresentation, 1:1,  
1:4, 2:3 to 2:5, 2:7, 2:8.2,  
2:12.5, 3:3.1, 5:3, 5:4, 5:8,  
5:10, 6:1, 6:3 to 6:5, 7:5, 8:5,  
8:10, 9:4, 10:4, 10:5, 10:7,  
10:22, 16:2, 18:2  
Punitive damages, 2:8.2, 4:1, 4:2,  
4:6, 6:1, 8:6, 9:3  
Retainer agreements, 1:1, 2:8, 2:12.2  
Services rendered, 1:3, 2:8.1, 2:12.2,  
3:1, 5:2, 5:4, 5:5, 6:2, 6:5, 7:5,  
9:3, 13:8, 19:14  
Settlement, 1:1 to 1:4, 2:2 to 2:5, 2:7  
to 2:8.2, 2:12.5, 3:1 to 3:3.1,  
3:5, 4:1, 4:2, 4:4, 5:2 to 5:10,  
5:15, 6:1, 6:2, 6:4, 6:5, 7:1, 7:5  
to 7:8, 7:13, 8:2 to 8:7, 8:9,  
8:10, 9:3 to 9:5, 10:3 to 10:8,  
10:15, 10:19 to 10:21, 10:25,  
12:6, 14:3, 14:7, 17:5, 17:7,  
17:8, 17:10, 18:2 to 18:4, 19:2,  
19:5, 19:12 to 19:14, 20:1  
Unfair competition, 16:2

### AUDIT

Accountant malpractice, 2:7  
Fraud, 2:7, 5:15, 11:5  
Negligent misrepresentation, 2:7

### AUTOMOBILES

Contributory negligence, 2:8.1

**AUTOPSY**

Defamation, 2:4

**BACK PAY**

Employment discrimination, 5:5

**BAD FAITH**

Good faith, 2:3, 2:8.1, 9:2, 10:9,  
19:5

**BANKRUPTCY**

Contribution, 2:7, 3:3, 5:3, 6:4, 8:5

Defamation, 2:4, 2:12.5, 5:3 to 7:5

Defenses, 2:3, 2:8.1, 3:3, 4:1, 7:5,  
7:7, 8:6, 9:3, 9:4

Fraud and deceit, 5:15

Insurance, 1:1, 1:3, 2:1, 2:3, 2:5, 2:7,  
2:8.1, 2:12.5, 3:1 to 3:4, 4:1 to  
5:3, 5:5, 5:8, 5:15, 6:1, 6:4 to  
7:5, 7:7, 10:6, 17:10, 18:11,  
19:14

Legal malpractice, 1:1 to 1:3, 2:1,  
2:3 to 2:5, 2:7, 2:8.1, 2:12.5,  
3:1 to 3:4, 3:9, 4:1, 4:2, 4:6, 5:3  
to 5:6, 5:8, 5:11, 5:13, 5:15,  
6:1, 6:4 to 7:5, 7:7, 8:2, 8:4 to  
8:6, 9:3, 9:4, 10:6, 10:20,  
10:21, 17:6, 17:9 to 18:11, 19:9,  
19:13.1, 19:14, 20:9

Malicious prosecution, 5:4 to 8:6,  
20:9

Punitive damages, 4:1, 4:2, 4:6, 6:1,  
8:6, 9:3

**BANKS**

Checks, 5:3

Defamation, 5:3

Emotional distress, 2:3, 2:5, 7:6.1

Fiduciary duty, 2:3, 2:5, 5:3, 18:11

Negligence, 2:3, 2:5, 5:3, 7:6.1,  
18:11

Securities, 2:3, 2:5, 5:3

**BAR ASSOCIATION**

Defamation, 2:12.5

**BASEBALL**

Products liability, 3:1

**BASEBALL—Cont'd**

Profits, 2:3, 3:3, 7:13, 9:2, 9:3

**BATTERY**

Arrest, 2:8.1, 5:13, 16:1

Consent, 2:8.1, 9:3, 14:7, 16:1

Conviction, 2:8.1, 9:3, 14:7, 16:1

Criminal prosecution, 2:8.1, 16:1

Damages, 2:8.1, 4:1, 4:6, 5:13, 9:3,  
14:7, 16:1

Insurance, 2:8.1, 4:1, 14:7

Intent, 2:8.1

Justification, 4:1

Medical malpractice, 2:8.1, 4:1, 14:7

Peace officer, 16:1

Police, 2:8.1, 4:1, 5:13

Punitive damages, 4:1, 4:6, 9:3

Rape, 16:1

Recklessness, 4:6

Robbery, 16:1

Sexual abuse, 2:8.1, 16:1

Warrant, 2:8.1, 4:1

**BEACH**

Parks, 3:1

Premises liability, 3:1

**BEST JUDGMENT**

Medical malpractice, 1:1, 3:1

**BIAS**

Defamation, 10:5

**BIRTH**

Medical malpractice, 3:1

**BONA FIDE PURCHASER**

Conversion, 10:25

**BREACH OF CONTRACT**

Contracts, 1:1, 1:4, 2:3, 2:8.1,  
2:12.2, 4:1 to 5:3, 6:2

**BURDEN OF PROOF**

Attorney malpractice, 2:1, 3:1, 3:2,  
3:6

Battery, 4:6

## INDEX

### **BURDEN OF PROOF—Cont'd**

Damages, 2:1, 3:1 to 3:3.1, 4:6, 7:13, 10:18  
Defamation, 7:13  
Divorce, 3:1, 3:3.1, 4:6  
Emotional distress, 3:3.1, 4:6  
Employment contract, 7:13  
Employment discrimination, 3:1, 3:2, 4:6, 10:18  
Fiduciary duty, 2:1, 3:1 to 3:3.1, 4:6, 7:13  
Guardian, 3:1, 3:2  
Hearsay, 3:1  
Insurance, 2:1, 3:1 to 3:3.1, 3:8, 7:13  
Legal malpractice, 2:1, 3:1 to 3:3.1, 3:6, 3:8, 4:6, 7:13, 10:18  
Liquidated damages, 3:1, 3:2  
Malpractice, 2:1, 3:1 to 3:3.1, 3:6, 3:8, 4:6, 7:13, 10:18  
Medical malpractice, 3:1, 3:2, 3:6, 3:8, 7:13  
Negligence, 2:1, 3:1 to 3:3.1, 3:6, 4:6, 7:13, 10:18  
No-fault law, 3:1  
Premises liability, 3:1  
Preponderance of evidence, 3:3.1  
Products liability, 3:1  
Profits, 7:13  
Proximate cause, 2:1, 3:1 to 3:3.1, 3:6, 3:8, 7:13, 10:18  
Punitive damages, 4:6  
Quantum meruit, 3:1  
Substantial factor, 3:1, 7:13  
Trespass, 3:1, 3:6  
Warranties, 3:1  
Wrongful death, 3:1, 3:2, 3:8

### **BUS**

No-fault law, 3:1  
Products liability, 2:7, 3:1  
Theory of case, 2:3

### **BUT FOR TEST**

Proximate cause, 3:3

### **CANCELLATION**

Insurance, 2:8.1, 7:5

### **CAPACITY**

Generally, 2:3, 18:2

### **CARE**

Circumstantial evidence, 3:2, 9:5

### **CAUSATION**

Assault and battery, 2:8.1, 4:1, 9:3  
Civil rights, 2:3, 3:1, 3:5, 7:5, 9:2, 9:4, 10:6  
Contracts, 1:4, 2:3, 2:8.1, 4:1, 4:2, 17:9  
Defamation, 7:5, 7:13, 10:5  
Expert testimony, 1:4, 2:2, 2:3, 2:5, 2:7 to 2:8.2, 3:2, 3:5, 4:1, 4:2, 4:4, 8:5, 9:2 to 10:6, 16:1, 20:6  
Fiduciary duty, 1:3, 1:4, 2:1, 2:3, 2:5, 2:7 to 2:8.2, 3:1 to 3:3.1, 3:5, 4:1, 4:2, 4:4, 7:5, 7:13, 8:2, 8:5, 9:2 to 9:5, 10:3, 10:6, 14:7, 17:5, 17:6, 17:9, 20:6  
Insurance, 1:3, 1:4, 2:1 to 2:3, 2:5, 2:7 to 2:8.2, 3:1 to 3:5, 4:1, 4:2, 4:4, 7:5, 7:13, 9:2, 10:5 to 14:7, 15:3, 17:10, 20:6  
Interference with contractual relations, 2:3, 3:1  
Legal malpractice, 1:3, 1:4, 2:1 to 2:3, 2:5, 2:7 to 2:8.2, 3:1 to 3:6, 3:9, 4:1, 4:2, 4:4, 7:2, 7:5, 7:13, 8:2, 8:5, 9:2 to 9:5, 10:3, 10:5, 10:6, 10:12, 10:18, 10:19, 14:7, 15:3, 16:1, 17:5, 17:6, 17:9, 17:10, 18:3, 19:12, 20:6  
No-fault law, 3:1, 10:5  
Proof, 1:3, 1:4, 2:1 to 2:3, 2:5, 2:8.1, 2:8.2, 3:1 to 3:6, 3:9, 4:1, 4:2, 4:4, 7:13, 8:2, 8:5, 9:2 to 9:5, 10:3, 10:6, 10:18, 14:7, 16:1, 17:5, 20:6  
Proximate cause, 1:4, 2:1 to 2:3, 2:5, 2:8.2, 3:1 to 3:6, 3:9, 4:1 to 7:2, 7:5, 7:13, 8:2, 8:5, 9:2 to 9:5, 10:3, 10:5, 10:6, 10:12, 10:18,

**CAUSATION—Cont'd**

10:19, 14:7, 15:3, 16:1, 17:5,  
17:6, 17:9, 17:10, 18:3, 19:12

Release, 2:3, 2:7, 2:8.2, 3:1, 4:2, 7:5,  
7:13, 8:5, 10:6, 16:1, 17:10

**CAUSE**

Generally, 2:3, 5:7, 10:14

**CERTAINTY**

Assault, 4:1

Damages, 3:2, 4:1 to 5:3, 5:5, 6:1,  
6:2, 6:5, 7:1.1, 8:6, 9:5, 12:2,  
17:5

Intent, 5:3, 5:5, 6:1 to 6:3, 6:5, 12:2

**CERTIFICATE OF OCCUPANCY**

Negligent misrepresentation, 2:3

**CHARACTER OR REPUTATION**

Wrongful death, 2:8.1

**CHECKS**

Conversion, 2:7, 2:8.1, 5:3

Damages, 2:7, 2:8.1, 2:12.2, 5:3, 7:7,  
8:4, 10:20

Defamation, 5:3

Delay, 2:8.1, 5:3, 10:20

Good faith, 2:8.1, 8:4

Proximate cause, 8:4, 10:20

**CHIEF FINANCIAL OFFICER**

Negligent misrepresentation, 2:7 to  
5:8, 8:5

**CHILD SUPPORT**

Burden of proof, 4:6

Medical malpractice, 2:8.1, 3:9, 8:4  
to 9:4, 10:25

Wrongful death, 2:3, 2:8.1, 4:2, 8:4  
to 9:5, 10:25

**CHILDREN**

Animals, 5:3, 12:2

Attorney malpractice action, 3:1, 5:2,  
6:5

Battery, 2:8.1, 4:1, 14:7, 16:1

**CHILDREN—Cont'd**

Contracts, 1:4, 2:3, 2:8.1, 4:1 to 5:3,  
6:2

Defamation, 5:3

Disability, 2:7, 2:8.1

Emotional distress, 2:3, 4:2, 5:2, 8:6

Employment of, 2:3, 3:1, 16:1

Foster care, 19:14

Immunity, 2:3, 3:1, 6:1, 6:2, 6:5,  
12:6

Insurance, 1:4, 2:3, 2:7, 2:8.1, 3:1,  
3:4, 4:1, 4:2, 4:4, 5:2, 5:3, 5:7,  
5:9, 5:15, 6:1, 6:2, 6:5, 7:1.1,  
14:1, 14:7, 19:14, 20:6

Licenses, 2:8.1, 4:2

Medical malpractice, 2:7, 2:8.1, 3:1,  
4:1, 5:3, 5:7, 5:9, 8:4, 9:4, 12:6,  
14:7, 19:14, 20:6

No-fault law, 3:1

Premises liability, 2:8.1, 3:1

Proximate cause, 1:4, 2:3, 3:1, 3:4,  
4:1 to 6:2, 8:4, 8:6, 9:4, 12:6,  
14:7, 16:1, 18:7

Punitive damages, 4:1 to 6:1, 8:6

Standard of care, 2:3, 2:7, 2:8.1, 3:1,  
4:1, 4:2, 4:4, 5:2, 6:1, 8:4, 9:4,  
9:6, 12:6, 14:7, 16:1, 20:6

Wrongful death, 2:3, 2:7, 2:8.1, 3:1,  
3:4, 4:1 to 5:3, 5:9, 5:11, 6:2,  
6:5, 8:4, 8:6, 9:4, 12:2, 12:6,  
19:14, 20:6

**CIRCUMSTANTIAL EVIDENCE**

Employment discrimination, 3:2

Insurance, 3:2

Intent, 20:1

Medical malpractice, 3:2

**CIVIL RIGHTS**

Causation, 2:3, 3:1, 3:5, 7:5, 9:2,  
9:4, 10:6

Conspiracy, 2:3, 3:1, 5:3

Damages, 2:3, 3:1, 3:5, 5:3, 5:15,  
7:5, 8:4, 9:2, 9:4, 10:6

Defamation, 5:3, 7:5

Emotional distress, 2:3, 7:5

## INDEX

### **CIVIL RIGHTS—Cont'd**

Federal law, **2:3, 7:5, 9:2**  
Generally, **2:3**  
Immunity, **2:3, 3:1, 9:2**  
Mere negligence, **2:3**  
Police officers, **10:6**

### **CLAIM PRECLUSION**

Defenses, **7:5**

### **CLEANING**

Premises liability, **3:1**

### **CLEAR AND CONVINCING EVIDENCE**

Defamation, **7:5**  
Divorce, **2:8.1, 6:2, 7:5**  
Guardian, **7:5, 12:2**  
Malice, **6:2**  
Medical malpractice, **2:8.1, 7:5**

### **CLOTHING**

Damages, **2:12.5**

### **CODICIL**

Defined, **6:1**

### **COLLATERAL ESTOPPEL**

Defenses, **3:3, 7:5, 16:2**  
Res judicata and collateral estoppel,  
**7:5**

### **COLLATERAL SOURCE**

Breach of contract, **4:1**  
Children, **4:1**  
Damages, **4:1**  
Evidence, **4:1**  
Expenses incurred, **4:1**  
Insurance, **4:1**  
Medicaid, **4:1**  
Medical expenses, **4:1**  
Medical malpractice, **4:1**  
Personal injury, **4:1**  
Settlements, **4:1**  
Wrongful death, **4:1**

### **COLLECTIVE BARGAINING**

Employment contract, **7:13**

### **COLLUSION**

Attorney malpractice, **6:1, 6:4, 8:3**  
Insurance, **2:7, 5:8, 6:1, 6:4**

### **COMMON LAW**

Standard of care, **2:5, 2:8, 2:8.2, 3:3,  
4:2, 7:5 to 20:6**  
Unfair competition, **16:2**

### **COMMUNITY STANDARD**

Attorney malpractice, **9:2**  
Medical malpractice, **9:2**

### **COMPARATIVE FAULT**

Comparative negligence, **7:2.1**

### **COMPARATIVE NEGLIGENCE**

Causation, **2:5**  
Consortium, **6:4**  
Disability, **2:5**  
Gross negligence, **2:5**  
Immunity, **2:5**  
Insurer, **2:5, 6:4**  
Intentional conduct, **2:5**  
Mitigation of damages, **2:5**  
Negligent misrepresentation, **2:5, 6:4**  
Nuisance, **2:5**  
Police, **2:5**  
Proximate cause, **2:5**  
Settlement, **2:5, 6:4**  
Standard of care, **2:5**  
Wrongful death, **2:5**

### **COMPENSATORY DAMAGES**

Damages, **1:1, 2:8.2, 3:1, 3:3, 3:5,  
4:2, 4:4, 4:6, 6:4, 15:1, 16:1**

### **COMPETITION**

Fiduciary duty, **16:2**

### **COMPLAINT**

Generally, **2:3, 5:7, 10:14, 18:2**  
Malicious prosecution, **5:4 to 8:6,  
16:1, 20:2, 20:4**

### **COMPROMISE**

Fraud, **1:1, 2:8.1, 5:6, 6:1, 10:6, 10:7**  
Mistake, **2:2, 2:8.1, 10:6**

**COMPROMISE—Cont'd**

Settlement, 1:1, 2:2, 2:8.1, 3:9, 5:6, 6:1, 10:6, 10:7

**CONCEALMENT**

Attorney malpractice, 1:1, 5:3 to 5:7, 5:15, 6:1, 6:2, 17:5

Medical malpractice, 1:1, 2:7, 5:3, 5:5, 5:7, 5:10, 7:5, 8:4, 10:7, 18:11

Premises liability, 7:5, 8:2

Products liability, 2:7, 5:15, 10:7

Punitive damages, 6:1, 8:6

**CONFIDENTIAL RELATIONSHIP**

Fiduciary duty, 2:5, 2:8.2

**CONFLICT OF INTEREST**

Agency, 1:4, 2:3, 2:5, 2:8.1, 3:1, 6:2

Attorney malpractice, 2:3, 2:5, 2:8.2, 3:1, 3:5, 4:2, 5:2 to 5:5, 6:1 to 17:5

Fiduciary duty, 1:2, 1:4, 2:3, 2:5, 2:7 to 2:8.2, 3:1, 3:5, 4:2, 5:2 to 5:5, 5:10, 6:1 to 6:3, 7:5, 8:4, 9:3 to 17:5, 17:7, 19:2, 19:5, 19:14, 20:6

Guardian, 1:4, 2:7, 3:1, 4:2, 5:5, 7:5, 7:6, 9:4, 19:14

Merger, 2:5, 2:7, 3:1, 5:5, 5:10

**CONFLICT OF LAWS**

Contribution, 5:3

Courts, 5:3

Damages, 5:3

Defamation, 5:3

Evidence, 5:3

Indemnity, 5:3

Negligence, 5:3

Parties, 5:3

Pleadings, 5:3

**CONSENT**

Battery, 2:8.1, 9:3, 14:7, 16:1

Defamation, 5:3, 7:5, 7:13

Generally, 2:3, 5:7

**CONSENT—Cont'd**

Insurance, 1:1, 1:3, 1:4, 2:2, 2:3, 2:8.1, 2:8.2, 3:1 to 3:3.1, 3:5, 5:2, 5:3, 5:5, 5:7, 5:9, 6:5, 7:5, 7:13, 10:6, 14:7, 19:2, 19:14, 21:8

Medical malpractice, 1:1, 2:8.1, 3:1, 3:2, 3:9, 5:3, 5:5, 5:7, 5:9, 5:10, 7:5, 7:13, 10:6, 14:7, 19:14

Trespass, 3:1

**CONSIDERATION**

Generally, 2:3

Release, 2:3, 3:1, 4:2, 6:1, 7:13, 16:1

Settlement, 1:1 to 2:3, 2:5, 2:8.1, 3:1 to 3:3, 4:1 to 5:2, 6:1, 6:4, 6:5, 7:13, 9:4, 17:7, 19:14

**CONSORTIUM**

Damages, 1:1, 6:4, 8:4

Medical malpractice, 1:1, 8:4

Wrongful death, 1:1, 8:4

**CONSPIRACY**

Civil rights, 2:3, 3:1, 5:3

Interference with contract, 14:1

Malicious prosecution, 5:4, 16:1

**CONSTRUCTIVE FRAUD**

Defined, 1:1

Fiduciary duty, 1:1, 2:7, 2:8.2, 5:3, 5:4, 5:10, 10:6

Scienter, 2:7

Statute of limitations, 2:7, 2:8.2, 5:3, 5:4, 5:10

**CONSTRUCTIVE TRUST**

Defined, 8:4

**CONSUMER PROTECTION**

Damages, 2:3, 3:5, 5:7, 17:6

Debt collection, 3:5

Elements, 2:3, 3:5, 5:7

Generally, 2:3, 5:7

Real estate, 2:3, 3:5

Repairs, 2:3

Statutory, 2:3, 3:5, 5:7, 17:6

## INDEX

### CONTACT

Assault, **1:1, 2:8.1, 4:1, 16:1, 19:6**  
Battery, **2:8.1, 4:1, 16:1**

### CONTEMPT

Abuse of process, **2:3, 4:2**

### CONTINUOUS TREATMENT

Medical malpractice, **5:5, 5:9**

### CONTRACTS

Account stated, **5:3**  
Agents, **1:1, 1:4, 20:7**  
Arbitration, **1:1, 1:4, 2:3, 2:8.1, 4:2**  
Assignment, **1:1**  
Attorney malpractice, **1:1, 2:3, 4:1 to 5:3, 6:2**  
Attorneys, **1:1, 1:4, 2:3, 2:8.1, 2:12.2, 4:1 to 5:3, 6:2, 17:8, 17:9, 20:7**  
Breach of contract, **1:1, 1:4, 2:3, 2:8.1, 2:12.2, 4:1 to 5:3, 6:2**  
Children, **1:4, 2:3, 2:8.1, 4:1 to 5:3, 6:2**  
Collateral source rule, **4:1**  
Consideration, **1:1, 2:3, 2:8.1, 4:1, 4:2**  
Contribution and indemnity, **5:3**  
Damages, **1:1, 1:4, 2:3, 2:8.1, 2:12.2, 4:1 to 5:3, 6:2, 17:8, 17:9**  
Defamation, **5:3, 20:7**  
Elements, **1:1, 1:4, 2:3, 2:8.1, 4:1 to 5:3**  
Emotional distress, **2:3, 4:2**  
Employment contract, **2:3**  
Enforcement, **2:8.1, 4:1 to 5:3**  
Fiduciary duty, **1:1, 1:4, 2:3, 2:8.1, 4:1 to 5:3, 6:2, 17:9**  
Foreseeability, **6:2**  
Generally, **2:3**  
Good faith, **1:4, 2:3, 2:8.1, 6:2, 17:9**  
Hospitals, **1:4**  
Implied contracts, **5:3**  
Intent, **1:1, 2:3, 2:8.1, 5:3, 6:2**  
Interest, **1:1, 1:4, 2:3, 2:8.1, 4:1 to 5:3, 6:2, 17:8, 17:9, 20:7**

### CONTRACTS—Cont'd

Legal malpractice, **1:1, 1:4, 2:3, 2:8.1, 2:12.2, 4:1 to 5:3, 6:2, 17:8, 17:9**  
Market value, **4:1, 4:2**  
Medical malpractice, **1:1, 2:8.1, 2:12.2, 4:1, 5:3, 20:7**  
Meeting of minds, **1:1**  
Negligent misrepresentation, **1:1, 1:4, 2:3, 5:3**  
Nominal damages, **4:1, 4:2**  
Partnership, **1:1, 1:4, 2:3, 4:1, 17:9**  
Performance, **1:1, 2:3, 4:1 to 5:3, 6:2**  
Premises liability, **2:8.1**  
Price, **1:1, 4:2**  
Punitive damages, **4:1, 4:2**  
Quantum meruit, **1:1, 2:12.2, 4:2**  
Release, **2:3, 4:2**  
Reliance, **1:1, 1:4**  
Services rendered, **2:8.1, 2:12.2, 6:2**  
Settlement, **1:1, 1:4, 2:3, 2:8.1, 4:1 to 5:3, 6:2, 17:8**  
Specific performance, **4:2**  
Statute of limitations, **1:4, 2:3, 2:8.1, 4:1 to 5:3**  
Termination of, **1:1, 1:4, 2:8.1, 4:1, 5:3**  
Third parties, **1:1, 2:8.1, 6:2**

### CONTRIBUTION

Attorney malpractice, **3:3, 5:3, 6:4**  
Burden of proof, **7:13**  
Conflict of laws, **5:3**  
Construction, **2:7, 3:3, 5:3, 8:5, 10:7**  
Contracts, **5:3**  
Implied contract, **5:3**  
Insurance, **2:7, 3:3, 5:3, 6:4, 7:13, 14:7**  
Products liability, **2:7, 8:5, 10:7**  
Statute of limitations, **2:7, 3:3, 5:3, 8:5**  
Statutes, **5:3, 6:4**  
Surety, **6:4, 8:5**

**CONTRIBUTORY NEGLIGENCE**

Disability, 2:5, 2:8.1  
 Gross negligence, 2:5  
 Medical malpractice, 2:8.1  
 Nuisance, 2:5  
 Particular conduct, 2:8.1  
 Standard of conduct, 2:8.1

**CONTROL**

Animals, 2:4, 5:3  
 Employment discrimination, 2:5, 3:1, 3:2, 5:5, 5:9, 9:3, 9:4  
 Fire insurance, 2:5, 4:2  
 Hospitals, 1:4  
 Independent contractor, 9:3, 9:4  
 Premises liability, 2:8.1, 3:1

**CONVERSION**

Agents, 2:7, 3:1  
 Attorneys, 2:3, 2:7, 2:8.1, 3:1, 3:3, 3:3.1, 3:5, 4:2, 5:2, 5:3, 5:5, 5:10, 6:2, 6:4, 7:5, 7:13, 8:10, 9:4, 10:25, 17:10, 20:6, 21:5  
 Burden of proof, 3:1, 3:3.1, 7:13  
 Checks, 2:7, 2:8.1, 5:3  
 Contracts, 2:3, 2:8.1, 4:2, 5:3, 6:2  
 Control, 2:3, 2:8.1, 3:1, 3:5, 4:2, 5:3, 5:5, 6:2, 7:13, 9:4, 17:10  
 Copyright infringement, 2:3  
 Damages, 2:3, 2:7, 2:8.1, 3:1, 3:3, 3:3.1, 3:5, 4:2, 5:2, 5:3, 5:5, 5:10, 6:2, 6:4, 7:5, 7:13, 8:10, 9:4, 10:25, 20:6, 21:5  
 Defenses, 2:3, 2:8.1, 3:3, 3:5, 7:5, 7:13, 9:4, 21:5  
 Definition, 2:3, 7:13  
 Employees, 2:3, 3:1, 5:5, 7:5, 7:13, 10:25  
 Employers, 7:5  
 Fiduciary duty, 2:3, 2:7, 2:8.1, 3:1, 3:3, 3:3.1, 3:5, 4:2, 5:2, 5:3, 5:5, 5:10, 6:2, 6:4, 7:5, 7:13, 8:10, 9:4, 10:25, 20:6  
 Fraud and deceit, 5:10  
 Gas, 4:2, 9:4  
 Generally, 2:3

**CONVERSION—Cont'd**

Intent, 2:3, 2:7, 2:8.1, 3:3.1, 5:3, 5:5, 5:10, 6:2, 7:13, 8:10, 9:4  
 Justification, 5:2, 7:5  
 Money, 2:3, 2:7, 2:8.1, 3:1, 3:3.1, 3:5, 4:2, 5:2, 5:3, 7:5, 8:10, 9:4, 10:25, 20:6  
 Possession, 2:3, 2:8.1, 3:1, 6:2, 9:4, 17:10, 20:6  
 Principals, 3:3  
 Punitive damages, 4:2  
 Soil, 3:1  
 Statute of limitations, 2:3, 2:7, 2:8.1, 3:1, 3:3 to 4:2, 5:2, 5:3, 5:5, 5:10, 7:5, 9:4  
 Title, 2:3, 2:8.1, 3:1, 3:3, 4:2, 5:3, 6:2, 9:4, 10:25, 21:5

**CONVICTION**

Battery, 2:8.1, 9:3, 14:7, 16:1  
 Malicious prosecution, 5:5, 16:1

**COOPERATION**

Insurance, 1:4, 2:8.1, 5:5

**COPYRIGHT**

Accounting, 2:3, 5:9  
 Damages, 2:3, 2:12.5, 5:9  
 Defenses, 2:3, 5:9  
 Generally, 2:3  
 Infringement, 2:3, 2:12.5  
 Profits, 2:3, 2:12.5  
 Remedies, 2:3, 2:12.5  
 Summary judgment, 2:3, 2:12.5, 5:9  
 Termination, 2:12.5, 5:9

**CORPORATIONS**

Attorney-client relationship, 1:4, 2:3, 2:5, 5:15, 6:1, 7:13, 8:3 to 8:5, 9:4, 19:2  
 Defamation, 7:13  
 Fraud and deceit, 5:15  
 Products liability, 5:15, 8:5  
 Professional service corporations, 18:10  
 Punitive damages, 6:1

## INDEX

### CREDIT

- Defamation, 5:3
- Emotional distress, 2:5, 4:2, 4:6

### CRIME

- Assault and battery, 2:8.1
- Legal malpractice, 2:1, 2:8, 2:8.1, 3:1, 3:3.1, 5:5, 16:1, 17:1
- No-fault law, 3:1
- Parks, 2:8.1, 3:1
- Premises liability, 2:8.1, 3:1
- Proximate cause, 2:1, 3:1, 3:3.1, 5:5, 16:1
- Standard of care, 2:1, 2:8, 2:8.1, 3:1, 16:1
- Wrongful death action, 3:1

### CRIMINAL PROSECUTION

- Attorney malpractice, 5:5
- Battery, 2:8.1, 16:1

### DAMAGES

- Abuse of process, 2:3, 4:2, 7:5, 20:2
- Actual harm, 2:8.1, 2:8.2, 3:5, 5:4, 5:7
- Adequacy. excessiveness or inadequacy., 2:1 to 2:3, 2:5, 2:8 to 2:9, 2:12.5, 3:1 to 3:3.1, 3:5, 4:1, 4:2, 8:4, 9:2 to 10:7, 15:5, 16:1
- Aggravation, 2:7
- Animals, 2:4, 5:3, 8:9, 12:2
- Attorney malpractice, 1:1, 2:1, 2:3, 2:5, 2:8.2, 3:1 to 3:3, 3:5, 4:1 to 5:7, 5:9, 5:15, 6:1, 6:2, 6:4, 6:5, 9:2 to 9:4, 13:8, 17:5, 21:2
- Battery, 2:8.1, 4:1, 4:6, 5:13, 9:3, 14:7, 16:1
- Burden of proof, 2:1, 3:1 to 3:3.1, 4:6, 7:13, 10:18
- Businesses, 1:1, 1:3, 2:8, 3:2, 4:6
- Certainty, 3:2, 4:1 to 5:3, 5:5, 6:1, 6:2, 6:5, 7:1.1, 8:6, 9:5, 12:2, 17:5
- Checks, 2:7, 2:8.1, 2:12.2, 5:3, 7:7, 8:4, 10:20

### DAMAGES—Cont'd

- Civil rights, 2:3, 3:1, 3:5, 5:3, 5:15, 7:5, 8:4, 9:2, 9:4, 10:6
- Collateral source rule, 4:1
- Compensatory damages, 1:1, 2:8.2, 3:1, 3:3, 3:5, 4:2, 4:4, 4:6, 6:4, 15:1, 16:1
- Consortium, 1:1, 6:4, 8:4
- Contracts, 1:1, 1:4, 2:3, 2:8.1, 2:12.2, 4:1 to 5:3, 6:2, 17:8, 17:9
- Defamation, 2:4, 2:12.5, 5:3 to 7:5, 7:13, 10:5
- Default judgment, 1:3, 2:3, 2:8.1, 3:1 to 3:5, 5:3, 5:7, 5:13, 7:5, 8:5, 8:6, 9:3, 10:12, 10:25, 10:26
- Emotional distress, 2:2, 2:3, 2:5, 2:8.2, 3:3 to 4:2, 4:6, 5:2, 5:4, 5:8, 7:5, 8:6, 10:5, 16:2, 19:12, 20:5, 21:6
- False imprisonment, 3:1, 3:3, 5:5, 16:1
- Fiduciary duty, 1:1 to 1:4, 2:1, 2:3 to 2:5, 2:7 to 2:8.2, 2:12.5, 3:1 to 3:3.1, 3:5, 4:1, 4:2, 4:4, 4:6, 5:2 to 5:10, 5:13, 5:15, 6:1, 6:2, 6:4 to 7:5, 7:13, 8:2, 8:4 to 8:6, 8:10, 9:2 to 9:6, 10:3, 10:6, 10:7, 10:25, 12:6, 14:7, 16:2, 17:5 to 17:7, 17:9, 19:2, 19:14, 20:6
- Financial condition, 3:4
- Fraud and deceit, 5:10, 5:15
- Generally, 2:3, 5:7
- Inadequacy. excessiveness or inadequacy., 1:4, 2:8.2, 3:3
- Income tax, 10:26
- Insurance, 1:1, 1:3, 1:4, 2:1 to 2:3, 2:5, 2:7 to 2:9, 2:12.5, 3:1 to 3:5, 4:1, 4:2, 4:4, 5:2, 5:3, 5:5, 5:7 to 5:9, 5:15, 6:1, 6:2, 6:4, 6:5, 7:1.1, 7:5, 7:7, 7:13, 9:2, 10:1, 10:5, 10:6, 10:8, 10:15, 10:17, 10:25, 13:8, 14:7, 15:3, 18:4, 19:2, 19:14, 20:6, 21:2, 21:3, 21:5, 21:6, 21:8

**DAMAGES—Cont'd**

Intangibles, 1:1, 6:5  
 Interest, 1:1 to 1:4, 2:1 to 2:3, 2:5, 2:7 to 2:8.2, 2:12.5, 3:1 to 3:3.1, 3:5, 4:1, 4:2, 4:4 to 4:6, 5:2 to 5:10, 5:15, 6:1, 6:2, 6:5, 7:1.1, 7:5, 7:13, 8:4 to 8:6, 8:9, 9:2 to 9:5, 10:3, 10:26, 12:2, 12:6, 16:1, 17:5 to 17:9, 19:2, 19:9, 19:12, 19:14, 20:6  
 Interference with contractual relations, 2:3, 3:1  
 Interference with prospective economic relations, 8:10  
 Joint tortfeasors, 7:13  
 Legal malpractice, 1:1 to 1:4, 2:1 to 2:5, 2:7 to 2:9, 2:12.2, 2:12.5, 3:1 to 3:5, 3:9, 4:1 to 4:8, 5:2 to 5:10, 5:13, 5:15, 6:1, 6:2, 6:4, 6:5, 7:1.1, 7:2, 7:5, 7:7, 7:10, 7:13, 8:2, 8:4 to 8:7, 8:9, 8:10, 9:2 to 9:6, 10:1, 10:3 to 10:8, 10:12, 10:15, 10:17, 10:18, 10:20, 10:22, 10:25, 10:26, 12:2, 12:6, 13:5, 13:7 to 14:7, 15:1, 15:3, 15:5, 16:1 to 17:1, 17:5 to 17:9, 18:3, 19:2, 19:9, 19:12, 19:14, 20:6, 21:2, 21:3, 21:5, 21:6, 21:8  
 Limitation of liability, 2:3  
 Loss of use, 2:3, 4:1  
 Lost profits, 4:2, 8:2, 8:6, 9:4, 12:6, 17:5  
 Malicious prosecution, 5:4 to 8:6, 16:1, 20:2, 20:5, 20:6  
 Market value, 3:1, 3:4, 4:1 to 6:1, 9:4  
 Medical malpractice, 1:1, 2:7, 2:8.1, 2:12.2, 3:1 to 3:3, 3:9, 4:1, 5:3, 5:5, 5:7, 5:9, 5:10, 7:5, 7:13, 8:4, 8:5, 9:2, 9:4, 10:5 to 10:7, 10:25, 12:6, 14:7, 15:1, 15:5, 19:12, 19:14, 20:6, 21:3  
 Misappropriation, 1:4, 2:3, 2:8.1, 3:1, 4:2, 4:4, 4:6, 5:3, 5:9, 5:10, 6:2, 7:5, 7:13, 9:2, 10:25, 17:7, 18:3, 21:6

**DAMAGES—Cont'd**

Mitigation, 2:5, 2:8.1, 4:7  
 Mitigation of damages, 2:5, 4:7  
 Negligent misrepresentation, 1:1, 1:4, 2:3 to 2:5, 2:7, 2:8.2, 2:12.5, 3:3.1 to 5:4, 5:8, 5:10, 6:1, 6:4 to 7:5, 8:5, 8:10, 9:4, 10:4, 10:5, 10:7, 10:22, 16:2, 17:6, 21:8  
 No-fault law, 3:1, 10:5  
 Nominal damages, 2:5, 4:1, 4:2, 5:4, 5:8, 10:25  
 Opportunities, 2:12.5, 3:2, 4:2, 5:5, 5:15, 9:4, 17:5  
 Overhead, 2:12.2  
 Pain and suffering, 4:1, 4:2, 8:6, 14:7  
 Personal injuries, 2:3, 3:2, 4:1 to 5:3, 5:8, 6:5, 7:2, 7:5, 12:2  
 Personal injury, 1:1 to 2:3, 2:5, 2:8, 2:8.1, 2:12.5, 3:1 to 3:5, 4:1, 4:2, 4:4, 5:3, 5:5, 5:7 to 5:10, 6:4 to 7:5, 7:7, 8:2, 8:4 to 8:6, 9:2 to 9:5, 10:1, 10:3, 10:5 to 10:7, 10:15, 10:20, 10:22, 10:25, 12:2, 21:6  
 Premises liability, 2:8.1, 3:1, 7:5, 8:2, 10:5, 10:20  
 Privacy, 10:5  
 Products liability, 2:7, 3:1, 5:15, 8:5, 10:6, 10:7, 19:14  
 Profits, 2:3, 2:12.5, 3:3, 4:1, 4:2, 7:5, 7:13, 8:2, 8:6, 9:2 to 9:4, 10:7, 12:6, 17:5  
 Property damage, 1:3, 2:4, 3:3.1, 7:13, 9:4  
 Proximate cause and, 3:1, 3:3, 3:5, 17:5  
 Punitive damages, 2:8.2, 4:1, 4:2, 4:6, 6:1, 8:6, 9:3, 10:26, 15:1  
 Quantum meruit, 1:1, 1:3, 2:12.2, 3:1, 4:2, 4:4  
 Real property, 1:1, 1:3, 2:2, 2:4, 2:5, 2:8, 3:1, 3:3, 3:3.1, 4:1, 4:2, 4:4, 4:6, 5:3 to 5:5, 5:7, 5:9, 5:15, 6:1, 6:5, 7:13, 8:2, 8:5, 8:9, 8:10, 9:3, 9:4, 12:2, 12:6,

## INDEX

### DAMAGES—Cont'd

13:5, 13:7 to 14:7, 21:5, 21:6  
Release, 2:3, 2:4, 2:7, 2:8.2, 2:12.5,  
3:1, 4:2, 5:5 to 5:7, 6:1, 7:5,  
7:7, 7:13, 8:5, 10:6 to 12:6,  
16:1 to 21:3  
Replevin, 5:5, 5:8  
Slander of title, 3:1  
Taxation, 1:1, 13:8  
Termination of employment, 9:4  
Trade secrets, 5:4, 8:6  
Trespass, 3:1  
Unfair competition, 16:2  
Waters, 2:12.5, 3:1, 4:1  
Wrongful death, 1:1, 2:3, 2:5, 2:7 to  
2:8.1, 2:12.2, 3:1 to 3:4, 4:1 to  
5:3, 5:6, 5:9, 5:10, 6:2, 6:5, 7:2,  
8:4 to 8:6, 8:9, 9:4, 9:5, 10:3,  
10:5, 10:25, 12:2, 12:6, 19:14,  
20:6

### DEATH

Attorney malpractice, 1:1, 2:3, 2:5,  
3:1 to 3:3, 4:1 to 5:3, 5:5 to  
5:7, 5:9, 5:15, 6:1, 6:2, 6:5, 9:2,  
9:4  
Defamation, 2:4, 2:12.5, 5:3, 10:5  
Emotional distress, 2:3, 2:5, 3:3 to  
4:2, 7:6.1, 8:6, 10:5  
Employment contract, 2:3, 2:4,  
2:12.5, 5:5  
No-fault law, 3:1, 10:5  
Privacy, 10:5  
Services rendered, 2:8.1, 2:12.2, 3:1,  
5:5, 6:2, 6:5, 19:14  
Suicide, 2:5, 4:2, 12:2  
Wrongful death, 1:1, 2:3, 2:5, 2:7 to  
2:8.1, 2:12.2, 3:1 to 3:4, 3:8,  
4:1 to 5:3, 5:6, 5:9 to 5:11, 6:2,  
6:5, 7:2, 8:4 to 8:6, 8:9, 9:4,  
9:5, 10:3, 10:5, 10:25, 12:2,  
12:6, 19:10, 19:14, 20:6

### DEBT COLLECTION

Legal malpractice, 3:5, 3:9, 5:3

### DEFAMATION

Absolute privilege, 20:4  
Actual harm, 5:4  
Affirmative defense, 7:13  
Agents, 20:7  
Aiding and abetting, 5:3, 7:5  
Arbitration, 2:4, 7:5, 7:13  
Attack, 5:4, 7:13  
Attorneys, 2:4, 2:12.5, 5:3 to 7:5,  
7:13, 10:5, 10:14, 20:7  
Banks, 5:3  
Bar association, 2:12.5  
Benefits, 2:4, 5:3  
Bias, 10:5  
Breach of contract, 2:4, 5:3 to 7:5,  
7:13  
Burden of proof, 7:13  
Business, 2:4, 5:3 to 7:5, 7:13, 20:4  
Causal connection, 7:13  
Character, 5:3, 7:5  
Checks, 5:3  
Clear and convincing evidence, 7:5  
Compensatory damages. damages,,  
2:12.5, 10:5  
Conditional privilege. qualified or  
conditional privilege., 2:12.5,  
10:5  
Conflict of laws, 5:3  
Consent, 5:3, 7:5, 7:13  
Corporations, 7:13  
Credit, 5:3  
Damages, 2:4, 2:12.5, 5:3 to 7:5,  
7:13, 10:5  
Defenses, 7:5, 7:13  
Dismissal, 2:4, 2:12.5, 5:3, 7:5, 7:13,  
10:5  
Divorce, 2:12.5, 5:3, 7:5  
E-mail, 5:3, 5:4  
Economic loss, 5:3, 7:13  
Elements, 2:4, 5:3 to 7:5  
Embezzlement, 5:3  
Employees, 2:12.5, 7:5, 7:13  
Employers, 7:5

**DEFAMATION—Cont'd**

Employment, 2:4, 2:12.5, 5:3, 7:5, 7:13, 10:5, 20:7  
 Evidence, 2:4, 2:12.5, 5:3 to 7:5, 7:13, 10:5, 10:14, 20:4, 20:7  
 Forgery, 7:13  
 Generally, 10:14  
 Group, 2:4, 5:3 to 7:5  
 Implication, 2:4  
 Income, 5:3  
 Insurance, 2:12.5, 5:3, 7:5, 7:13, 10:5  
 Intent, 2:12.5, 5:3, 7:13, 10:5  
 Interest, 2:12.5, 5:3 to 7:5, 7:13, 20:7  
 Investigation, 7:5  
 Judicial proceeding, 2:4, 7:13, 20:4  
 Jurisdiction, 5:3, 7:5, 7:13  
 Knowledge, 2:12.5, 5:3, 7:5, 7:13, 10:5  
 Legal duty, 2:4  
 Letter, 2:4, 2:12.5, 5:3, 7:5, 10:5  
 Libel, 20:4  
 Mail, 5:3, 5:4  
 Malpractice, 2:4, 2:12.5, 5:3 to 7:5, 7:13, 10:5, 10:14, 20:7  
 Marriage, 2:12.5, 5:4  
 Medical malpractice, 5:3, 7:5, 7:13, 10:5, 20:7  
 Misdemeanor, 7:5  
 Mistake, 5:3, 10:5  
 Nominal damages, 5:4  
 Opinions, 2:12.5, 20:7  
 Parties, 2:4, 2:12.5, 5:3 to 7:5, 7:13, 10:14, 20:4  
 Pleading, 2:4, 5:3 to 7:5  
 Pleadings, 5:3, 5:4, 10:14  
 Police, 2:12.5, 7:5, 7:13  
 Prejudice, 7:5  
 Prima facie case, 10:5  
 Privilege, 2:12.5, 5:3, 7:13, 20:4, 20:7  
 Property, 2:4, 2:12.5, 5:3 to 7:5, 7:13  
 Protection, 7:13

**DEFAMATION—Cont'd**

Proximate cause, 2:12.5, 7:5, 7:13, 10:5, 10:14  
 Quasi-judicial proceedings, 7:13  
 Removal proceedings, 2:12.5  
 Reply, 10:14  
 Research, 7:13  
 Retaliation, 10:5  
 Settlement negotiations, 5:4, 20:4  
 Sexual abuse, 10:5  
 Spite, 20:7  
 State, 2:4, 2:12.5, 5:3 to 7:5, 7:13, 10:5  
 Statute of limitations, 2:12.5, 5:3 to 7:5, 10:5  
 Substantial factor, 7:13  
 Summary judgment, 2:4, 2:12.5, 5:3 to 7:5, 7:13, 10:5, 10:14  
 Taxes, 5:3  
 Theft, 5:3  
 Third party, 5:4  
 Unions, 7:5  
 Vicarious liability, 7:13, 10:5  
 Will, 2:4, 2:12.5, 5:3 to 10:5, 20:7  
 Witnesses, 7:5

**DEFAULT JUDGMENT**

Abuse of process, 2:3, 7:5  
 Damages, 1:3, 2:3, 2:8.1, 3:1 to 3:5, 5:3, 5:7, 5:13, 7:5, 8:5, 8:6, 9:3, 10:12, 10:25, 10:26  
 Malicious prosecution, 8:6  
 Medical malpractice, 2:8.1, 3:1 to 5:3, 5:7, 7:5, 8:5, 10:25  
 No-fault law, 3:1

**DEFENSES**

Abatement, 2:3, 7:13  
 Abuse of process, 2:3, 7:5, 7:6.1  
 Affirmative defenses, 4:1, 7:13, 9:3, 9:4, 10:22  
 Assault and battery, 2:8.1, 4:1, 9:3  
 Assignment, 7:5, 7:13  
 Claim preclusion, 7:5  
 Collateral estoppel, 3:3, 7:5, 16:2

## INDEX

### DEFENSES—Cont'd

- Conversion, 2:3, 2:8.1, 3:3, 3:5, 7:5, 7:13, 9:4, 21:5
- Defamation, 7:5, 7:13
- Emotional distress, 2:2 to 3:3, 7:5 to 8:6, 16:2
- Equitable estoppel, 7:5
- False imprisonment, 3:3
- Generally, 2:3
- Indemnification, 2:2, 2:3, 7:13
- Insurance, 2:2, 2:3, 2:8.1, 3:3, 3:5, 4:1, 5:9, 7:1.1, 7:5, 7:7, 7:8, 7:13, 21:5
- Issue preclusion, 7:5
- Malicious prosecution, 8:6
- Res judicata, 7:5
- Stay, 4:1
- Survival, 2:3
- Unfair competition, 16:2

### DEFINITIONS

- Conversion, 21:5

### DELAY

- Checks, 2:8.1, 5:3, 10:20
- Insurance, 2:2, 2:3, 2:8.1, 2:8.2, 3:1 to 4:2, 4:4, 5:2, 5:3, 5:5, 5:15, 6:2, 7:13, 9:2, 10:9, 10:25, 14:7, 17:10, 19:14, 21:4
- Laches, 7:6, 8:6
- Malicious prosecution, 5:4 to 8:6, 16:1, 20:1, 20:2
- Medical malpractice, 2:8.1, 3:1 to 5:3, 5:5, 5:10, 7:13, 9:2, 10:7, 10:25, 14:7, 19:6, 19:14

### DEMOLITION

- Defined, 1:1 to 2:2, 3:1, 9:4, 21:5

### DEPOSITIONS

- Expert testimony, 2:3, 3:2, 9:3, 9:5
- Insurance, 1:1, 2:3, 3:2
- Limited purpose, 1:1
- Medical malpractice, 1:1, 3:2

### DEVELOPMENT

- Children, 2:3, 2:7, 3:1, 3:4, 4:1, 4:4, 5:3, 5:7, 5:9, 6:1, 6:2, 19:14

### DIAGNOSIS

- Damages, 5:8

### DIRECTORS

- Interference with contractual relations, 3:1

### DISABILITY

- Comparative negligence, 2:5
- Emotional distress, 2:2, 2:5, 3:3, 5:8, 15:2
- Insanity, 5:8
- Premises liability, 2:8.1, 8:2, 15:2

### DISABILITY INSURANCE

- Notice, 2:7

### DISCIPLINE

- Generally, 2:3

### DISCLAIMER

- Insurance, 21:5

### DISCLOSURE

- Expert testimony, 1:4, 2:3, 2:8.1, 2:8.2, 4:2, 9:2 to 9:4
- Fiduciary duty, 1:1, 1:4, 1:5, 2:1, 2:3, 2:8.1, 2:8.2, 2:12.5, 3:3, 4:2, 5:6, 6:1, 6:3, 6:5, 8:4, 9:2 to 9:4, 19:5
- Premises liability, 2:8.1, 10:5
- Spouse, 6:5, 8:4

### DISCOVERY

- Products liability, 2:7, 3:1, 5:15
- Trade secrets, 5:4, 8:6

### DISCRIMINATION

- Employment discrimination, 2:5, 3:1, 3:2, 4:4, 4:6, 5:5, 5:9, 9:3 to 10:3, 10:5, 10:8, 10:18, 10:20, 10:21, 17:7
- Housing, 2:5
- Premises liability, 3:1, 10:5, 10:20
- Punitive damages, 4:6, 9:3

**DISMISSAL**

Battery, 2:8.1, 4:1, 5:13, 16:1  
 Defenses, 2:3, 2:8.1, 2:12.2, 3:3, 4:1,  
 5:9, 7:1, 7:5, 7:7, 7:13, 8:6, 9:4,  
 10:22, 21:5  
 Malicious prosecution, 5:5, 8:6, 16:1

**DISSOLUTION OF MARRIAGE**

Divorce, 2:12.5, 3:1

**DISTRICT ATTORNEY**

Malicious prosecution, 16:1

**DIVORCE**

Abandonment, 2:8.1, 4:2, 5:5, 7:5  
 Burden of proof, 3:1, 3:3.1, 4:6  
 Defamation, 2:12.5, 5:3, 7:5  
 Domestic violence, 14:7  
 Emotional distress, 2:2, 2:3, 2:5,  
 2:8.2, 3:3 to 4:2, 4:6, 5:2, 5:8,  
 7:5, 8:6, 15:2  
 Generally, 2:3, 5:7  
 Jury trial, 9:4, 10:6  
 Legal malpractice, 1:1, 2:2, 2:3, 2:5,  
 2:8 to 2:8.2, 2:12.2, 2:12.5, 3:1,  
 3:3, 3:3.1, 3:5, 3:9, 4:1, 4:2,  
 4:6, 5:2, 5:3, 5:5 to 5:9, 6:1,  
 6:2, 7:5, 7:7, 8:4 to 8:6, 8:10,  
 9:2 to 9:4, 9:6, 10:4, 10:6, 10:7,  
 10:20 to 10:22, 10:25, 12:3,  
 12:6, 14:1 to 14:3, 14:7, 15:2,  
 18:10, 18:11, 19:13.1, 19:14  
 Mental illness, 4:2  
 Preponderance of evidence, 3:3.1,  
 3:5  
 Privileged communications, 19:14  
 Sexual relations, 18:11  
 Statute of limitations, 2:2, 2:3, 2:5,  
 2:8.1, 2:8.2, 2:12.5, 3:1, 3:3,  
 3:3.1, 3:9, 4:1, 4:2, 4:6, 5:2,  
 5:3, 5:5 to 5:9, 6:1, 7:5, 8:5,  
 8:6, 9:2 to 9:4, 10:4, 10:22,  
 18:11  
 Wrongful death, 1:1, 2:3, 2:5, 2:8,  
 2:8.1, 2:12.2, 3:1, 3:3, 4:1 to  
 5:3, 5:6, 5:9, 6:2, 8:4 to 8:6,  
 9:4, 10:25, 12:6, 19:14

**DOMESTIC RELATIONS CASES**

Arbitration, 2:8.1  
 Divorce, 2:8.1

**DOMESTIC VIOLENCE**

Divorce, 14:7

**DUE CARE**

Presumption of, 2:3

**DUE PROCESS**

Punitive damages, 4:6

**DUTY OF CARE**

Standard of care, 2:1 to 2:5, 2:7 to  
 2:9, 2:12.5, 3:1, 3:3, 3:5, 4:1,  
 6:1, 8:2, 9:2 to 9:4, 12:6, 16:1,  
 17:10

**E-MAIL**

Defamation, 5:3, 5:4  
 Emotional distress, 2:3, 2:8.2, 3:3,  
 5:4

**EARNINGS**

Medical malpractice, 3:9, 8:4  
 Wrongful death, 4:2, 8:4

**ECONOMIC LOSS**

Defamation, 5:3, 7:13  
 Negligence, 4:2, 5:3, 6:2, 7:13  
 Wrongful death, 4:2, 5:3, 6:2

**ELEMENTS**

Damnum absque injuria, 5:3  
 Generally, 2:3, 5:7  
 Intent, 1:1, 2:3, 2:5, 2:7, 2:8.1, 3:3.1,  
 5:3, 5:5, 5:10, 6:5, 8:4, 9:4,  
 20:1, 20:3  
 Malice, 2:3, 4:2, 4:6, 16:2, 20:1  
 Motive, 1:1, 2:8.1, 4:6, 6:5, 20:1 to  
 20:3  
 Purpose, 1:1, 1:4, 2:2, 2:3, 2:7 to  
 2:8.2, 3:1, 3:3, 3:3.1, 3:5, 3:6,  
 4:2, 5:3, 5:5, 6:4, 6:5, 9:2, 16:2,  
 20:1, 20:2

**EMBEZZLEMENT**

Defamation, 5:3

## INDEX

### EMERGENCY

Medical malpractice, 5:5, 12:6  
Standard of care, 12:6

### EMOTIONAL DISTRESS

Assault, 2:5, 4:6, 19:6  
Battery, 4:6  
Contracts, 2:3, 4:2  
Defamation, 5:4, 7:5, 10:5  
Fraud, 2:3, 2:5, 2:8.2, 3:3 to 4:2, 4:6,  
5:2, 5:4, 5:8, 7:5, 8:6, 16:2  
Guardian, 4:2, 7:5, 8:6  
Insurance, 2:2, 2:3, 2:5, 2:8.2, 3:3 to  
4:2, 5:2, 5:8, 7:5, 10:5, 21:6  
Malicious prosecution, 5:4, 8:6, 20:5  
Medical malpractice, 3:3, 7:5, 10:5,  
19:6, 19:12  
Negligent infliction of emotional  
distress, 2:3, 2:5, 5:2, 5:4, 5:8,  
10:5, 15:2, 16:2, 20:5  
No-fault law, 10:5  
Nuisance, 2:5  
Parents, 2:5, 4:2  
Privacy, 10:5

### EMPLOYEES

Fraud, 2:3, 2:8, 3:1, 5:5, 5:15, 7:5,  
7:13, 10:25, 16:2  
Medical records, 5:15  
Pandemic, 5:5  
Records, 2:8, 5:15, 17:9

### EMPLOYERS

Battery, 4:1  
Conversion, 7:5  
Defamation, 7:5  
Defenses, 4:1, 7:5  
Emotional distress, 7:5, 20:5  
Enticing away at-will employees.  
stealing, inducing, enticing or  
luring away at-will employees,,  
4:1  
Fiduciary duty, 4:1, 6:5, 7:5, 12:6,  
19:14  
Fraud, 6:5, 7:5, 12:6, 19:14  
Hiring, 4:1

### EMPLOYERS—Cont'd

Inducing away at-will employees.  
stealing, inducing, enticing or  
luring away at-will employees,,  
4:1  
Luring away at-will employees. steal-  
ing, inducing, enticing or luring  
away at-will employees,, 4:1  
Medical malpractice, 4:1, 7:5, 12:6,  
19:14  
Medical records, 4:1  
Negligence, 4:1, 6:5, 7:5, 12:6  
Premises liability, 7:5  
Punitive damages, 4:1  
Records, 4:1, 19:14  
Services rendered, 6:5, 7:5, 19:14

### EMPLOYMENT CONTRACT

Burden of proof, 7:13  
Business, 2:3, 2:4, 2:8.2, 5:5, 7:5,  
7:13  
Damages, 2:3, 2:4, 2:8.2, 2:12.5, 5:5,  
7:5, 7:13  
Death, 2:3, 2:4, 2:12.5, 5:5  
Fiduciary duty, 2:3, 2:4, 2:8.2,  
2:12.5, 5:5, 7:5, 7:13  
Good faith, 2:3, 2:8.2, 5:5, 7:13  
Interest, 2:3, 2:8.2, 2:12.5, 5:5, 7:5,  
7:13  
Professionals, 2:3, 2:8.2  
Public employees, 7:13  
Punitive damages, 2:8.2  
Reliance, 2:8.2, 2:12.5, 5:5, 7:5  
Reputation, 7:5  
Statute of frauds, 7:13

### EMPLOYMENT

#### DISCRIMINATION

Administrative remedies, 5:5  
Age discrimination, 10:20  
Arbitration, 3:1, 5:5, 10:20  
Attorneys, 2:5, 3:1, 3:2, 4:4, 4:6, 5:5,  
5:9, 9:3 to 10:3, 10:5, 10:8,  
10:18, 10:20, 10:21, 17:7  
Back pay, 5:5  
Burden of proof, 3:1, 3:2, 4:6, 10:18

**EMPLOYMENT**

**DISCRIMINATION—Cont'd**

Circumstantial evidence, 3:2  
 Collateral estoppel, 3:1, 10:21  
 Compensation, 2:5, 3:1, 3:2, 5:5, 5:9, 10:5  
 Complaint, 2:5, 3:1, 3:2, 4:4, 4:6, 5:5, 5:9, 9:3 to 10:5, 17:7  
 Constructive discharge, 3:1  
 Criminal conviction, 5:5, 9:3  
 Defenses, 5:9, 9:3, 9:4  
 Disability, 2:5, 5:5  
 Foreign corporations, 9:4  
 Intent, 2:5, 5:5, 9:4, 10:5  
 Lifting, 3:1  
 Malice, 4:6  
 Monetary loss, 5:5  
 Partnerships, 5:5  
 Physicians, 3:2, 5:9  
 Pregnancy, 9:4  
 Pretext, 9:3, 9:4  
 Prima facie case, 2:5, 3:1 to 10:5, 10:20  
 Punitive damages, 4:6, 9:3  
 Qualifications, 5:9  
 Remedies, 5:5  
 Retaliation, 2:5, 3:1, 10:5  
 Social security, 2:5  
 Statute of limitations, 2:5, 3:1, 4:4, 4:6, 5:5, 5:9, 9:3 to 10:3, 10:5  
 Subsidiary, 10:5  
 Substantial factor, 3:1  
 Summary judgment, 2:5, 3:1, 3:2, 4:4, 4:6, 5:5, 5:9, 9:3 to 10:5, 10:20  
 Title vii, 3:1

**ENGINEER**

Expert testimony, 2:2  
 Negligent misrepresentation, 5:8

**ENTRY**

Premises liability, 2:8.1, 3:1, 7:5

**EQUIPMENT**

Products liability, 3:1

**EQUITABLE DISTRIBUTION**

Divorce, 3:1, 5:7, 8:4, 10:6, 14:7

**EQUITABLE ESTOPPEL**

Defenses, 7:5  
 Fiduciary duty, 5:2, 5:8, 5:15, 7:5  
 Statute of limitations, 5:2, 5:8, 5:15, 7:5  
 Statute of limitations defense, 5:2, 5:8, 5:15, 7:5

**EQUITY**

Fiduciary duty, 1:1, 1:2, 1:5, 2:7, 3:2, 3:3, 4:1, 4:2, 6:4 to 7:5, 8:2, 8:5, 8:6, 8:10  
 Punitive damages, 4:1, 4:2, 8:6

**ERISA**

Employee retirement income security act, 1:2, 5:3, 5:5, 6:2

**ERROR OF JUDGMENT**

Attorney malpractice, 2:3, 9:4  
 Insurance, 2:2, 2:3, 7:13  
 Medical malpractice, 7:13, 8:4, 9:4  
 Police, 7:13

**ESCROW**

Agreements, 1:1, 2:4, 2:5, 2:7, 3:1, 5:3, 5:7, 8:2, 19:12  
 Defamation, 2:4, 5:3  
 Fiduciary duty, 1:1, 1:4, 2:4, 2:5, 2:7, 2:8.2, 3:1, 5:3, 5:7, 5:8, 5:15, 6:4, 6:5, 8:2, 8:3  
 Generally, 5:7

**ESTATE ADMINISTRATION**

Legal malpractice, 3:5, 5:9, 12:2

**ESTATE PLANNING**

Legal malpractice, 2:8.2, 2:12.5, 5:5, 6:1 to 6:5, 8:4, 12:2, 12:6, 14:3

**ESTOPPEL**

Fraud and deceit, 5:10, 5:15  
 Trespass, 3:1

## INDEX

### ETHICS

Attorney malpractice, 1:1, 2:1, 2:3, 4:1, 9:3, 9:4

### EVIDENCE

Admissions, 2:1, 2:2, 2:8.1, 3:1, 5:5, 7:5, 8:4, 9:2, 10:18, 19:14

Burden of proof, 2:1, 3:1 to 3:3.1, 3:6, 3:8, 4:6, 7:13, 10:18

Causation, 1:3, 1:4, 2:1 to 2:3, 2:5, 2:7 to 2:8.2, 3:1 to 3:6, 3:9, 4:1, 4:2, 4:4, 7:2, 7:5, 7:13, 8:2, 9:2 to 10:6, 10:18, 10:19, 14:7, 16:1, 17:5, 17:6, 17:9, 17:10, 18:3, 19:12, 20:6

Circumstantial evidence, 3:2, 9:5, 20:1

Clear and convincing evidence, 2:8.1, 6:2, 7:5, 12:2

Conflict of laws, 5:3

Defamation, 2:4, 2:12.5, 5:3 to 7:5, 7:13, 10:5, 10:14, 20:4, 20:7

Exculpatory evidence, 2:8.1, 16:1

Exhibits, 2:3, 2:7, 2:8.1, 3:3.1, 4:1, 7:13

False imprisonment, 3:1, 3:3, 5:5, 16:1

Fraud and deceit, 5:10, 5:15

Hearsay, 3:1, 17:1, 17:5, 21:5

Judicial notice, 5:2, 9:4, 10:14, 19:5, 21:5

Limited purpose, 1:1

Malpractice, 1:1 to 1:4, 2:1 to 2:5, 2:7 to 2:10, 2:12 to 2:12.5, 3:1 to 3:6, 3:8, 3:9, 4:1 to 4:8, 5:1 to 5:10, 5:12, 5:15, 6:1 to 6:5, 7:2, 7:2.1, 7:5 to 7:9, 7:13, 8:2, 8:4, 8:7, 8:10, 9:2 to 9:6, 10:1, 10:5 to 10:7, 10:14, 10:17 to 10:20, 10:25, 10:26, 12:2, 12:3, 12:6, 13:2, 13:4, 13:5, 13:8, 14:1, 14:7, 15:1, 16:1 to 17:1, 17:5 to 17:10, 18:2, 18:3, 18:7, 18:11, 19:2, 19:5, 19:9, 19:10, 19:12, 19:14, 20:1, 20:5 to 20:7, 21:4, 21:5

### EVIDENCE—Cont'd

No-fault law, 3:1, 10:5

Products liability, 2:7, 3:1, 5:15, 10:6, 10:7, 19:14

Punitive damages, 2:8.2, 4:1, 4:2, 4:6, 6:1, 9:3, 10:26, 15:1

Spoilation of evidence, 2:8.1, 5:3

Theory of case, 2:3

### EXCAVATION

Proximate cause, 3:3

### EXCESS LIABILITY

Insurance, 3:4, 6:5

### EXCLUSIONS

Insurance, 10:5

### EXCULPATORY EVIDENCE

District attorney, 16:1

Malicious prosecution, 16:1

### EXERCISE

Products liability, 2:7, 3:1, 8:5, 10:6, 19:14

### EXPENSES

Employment contract, 2:3, 5:5

### EXPERIENCE

Children, 2:3, 2:8.1, 5:3, 5:7, 9:4, 9:6, 12:2

### EXTORTION

Abuse of process, 20:2

### FAIRNESS

Record, 1:4, 2:12.2

### FALLS

Evidence of causation, 3:1 to 9:3

Medical malpractice, 1:1, 3:1 to 5:3, 5:7, 9:2, 9:4, 10:5, 12:6, 19:14

### FALSE IMPRISONMENT

Assault, 16:1

Battery, 16:1

Burden of proof, 3:1

Children, 3:1, 16:1

Civil rights, 3:1

**FALSE IMPRISONMENT—Cont'd**

Collateral estoppel, 3:1, 3:3, 16:1  
 Compensatory damages, 3:1, 3:3, 16:1  
 Consent, 3:1, 5:5, 16:1  
 Conspiracy, 3:1, 16:1  
 Damages, 3:1, 3:3, 5:5, 16:1  
 Defenses, 3:3  
 Defined, 3:1, 5:5  
 Elements of, 3:1, 3:3, 5:5, 16:1  
 Estoppel, 3:1, 3:3, 5:5, 16:1  
 Evidence, 3:1, 3:3, 5:5, 16:1  
 Investigation, 3:3, 16:1  
 Judges, 3:1, 5:5  
 Liability, 3:1, 3:3, 5:5, 16:1  
 Malicious prosecution, 5:5, 16:1  
 Peace officer, 16:1  
 Police, 3:3  
 Probable cause, 3:1, 3:3, 16:1  
 Property, 3:1, 3:3, 5:5  
 Records, 3:3, 16:1  
 Security personnel, 3:1  
 Statute of limitations, 3:1, 3:3, 5:5  
 Warrant, 3:1

**FAMILY**

Battery, 2:8.1, 4:1, 4:6, 9:3, 14:7  
 Cause, 1:1, 2:1 to 2:3, 2:5, 2:8.1, 2:8.2, 3:1, 3:3, 4:1, 4:2, 4:6, 5:3 to 5:5, 5:7, 5:9, 5:10, 5:14, 5:15, 6:4, 9:2 to 9:4, 10:3, 10:7, 10:9, 10:26, 12:6, 14:7, 19:10, 19:12  
 Defamation, 5:3, 5:4  
 Guardian, 1:1, 3:1, 4:2, 5:5, 6:4, 9:4, 12:6  
 Insurance, 1:1, 2:1 to 2:3, 2:5, 2:8.1, 2:8.2, 3:1, 3:3, 4:1 to 5:3, 5:5, 5:7, 5:9, 5:15, 6:4, 9:2, 10:9, 14:7, 19:10  
 Legal malpractice, 1:1, 2:1 to 2:3, 2:5, 2:8.1, 2:8.2, 3:1, 3:3, 4:1, 4:2, 4:6, 5:3 to 5:5, 5:7, 5:9, 5:10, 5:14, 5:15, 6:4, 9:2 to 9:4,

**FAMILY—Cont'd**

10:3, 10:7, 10:26, 12:6, 14:7, 19:10, 19:12  
 Medical malpractice, 1:1, 2:8.1, 3:1, 3:3, 4:1, 5:3, 5:5, 5:7, 5:9, 5:10, 9:2, 9:4, 10:7, 12:6, 14:7, 19:12  
 Services, 1:1, 2:1 to 2:3, 2:5, 2:8.1, 2:8.2, 3:1, 3:3, 4:1 to 5:5, 5:7, 5:9, 5:10, 5:15, 6:4, 9:2 to 9:4, 10:7, 10:9, 10:26, 12:6

**FARMS**

Fraud and deceit, 5:10

**FAULT**

Comparative negligence, 2:5, 7:2.1

**FAVORABLE TERMINATION**

Abuse of process, 20:1

**FEDERAL COURTS**

Jurisdiction, 7:5, 17:5

**FEES**

Premises liability, 2:8.1, 3:1, 7:5, 8:2

**FERTILITY**

Damages, 14:7

**FIDUCIARY DUTY**

Aiding and abetting, 2:7, 2:8.2, 5:3, 6:2, 6:4 to 7:5, 8:4, 8:5, 8:10, 12:6, 17:9, 18:11  
 Alter ego, 1:1  
 Attorney-in-fact, 6:5, 9:5, 12:6  
 Attorneys, 1:1 to 1:4, 2:1, 2:3 to 2:5, 2:7 to 2:8.2, 2:12.5, 3:1 to 3:3.1, 3:5, 4:1, 4:2, 4:4, 4:6, 5:2 to 5:10, 5:13, 5:15, 6:1 to 6:5, 7:2.1, 7:5, 7:13, 8:2 to 8:6, 8:10, 9:2 to 9:5, 10:3, 10:6, 10:7, 10:21, 10:25, 12:3, 12:6, 14:7, 16:2, 17:5, 17:7, 17:9, 18:11, 19:2, 19:5, 19:14, 20:6  
 Burden of proof, 2:1, 3:1 to 3:3.1, 4:6, 7:13  
 Damages, 1:1 to 1:4, 2:1, 2:3 to 2:5, 2:7 to 2:8.2, 2:12.5, 3:1 to 3:3.1, 3:5, 4:1, 4:2, 4:4, 4:6, 5:2

## INDEX

### FIDUCIARY DUTY—Cont'd

to 5:10, 5:13, 5:15, 6:1, 6:2, 6:4  
to 7:5, 7:13, 8:2, 8:4 to 8:6,  
8:10, 9:2 to 9:6, 10:3, 10:6,  
10:7, 10:25, 12:6, 14:7, 16:2,  
17:5 to 17:7, 17:9, 19:2, 19:14,  
20:6  
Directors, 1:1, 1:3, 3:1, 6:1, 6:5,  
17:6, 17:7  
Employees, 2:3, 2:12.5, 3:1, 5:5,  
5:15, 7:5, 7:13, 8:5, 10:25,  
16:2, 17:9, 19:2  
Equitable relief, 5:8, 7:5  
Franchise, 2:4, 5:5, 6:5, 8:4  
Fraud and deceit, 5:10, 5:15  
Generally, 2:3, 5:7  
Interference with prospective eco-  
nomic relations, 8:10  
Investments, 1:1, 2:1, 2:3 to 2:5, 2:7,  
2:12.5, 3:1 to 3:3, 3:5, 4:1 to  
5:3, 5:5, 5:8, 6:1, 7:5, 9:3  
Merger, 1:1, 2:4, 2:5, 2:7, 3:1, 5:5 to  
5:7, 5:10, 5:15, 8:3  
Negligent misrepresentation, 1:1,  
1:4, 2:3 to 2:5, 2:7, 2:8.2,  
2:12.5, 3:3.1, 5:3, 5:4, 5:8,  
5:10, 6:1, 6:3 to 6:5, 7:5, 8:5,  
8:10, 9:4, 10:7, 16:2, 17:6  
Open repudiation rule, 5:5  
Partners, 1:1, 1:2, 1:4, 2:3, 2:5, 2:7,  
2:12.5, 3:1 to 3:3, 3:5, 4:1 to  
5:3, 5:6, 5:7, 5:10, 5:13, 5:15,  
6:1, 6:4 to 7:5, 8:2, 8:5 to 10:6,  
17:9  
Physicians, 3:2, 5:9, 10:6  
Profits, 2:3, 2:12.5, 3:3, 4:1, 4:2, 7:5,  
7:13, 8:2, 8:6, 9:2 to 9:4, 10:7,  
12:6, 17:5  
Punitive damages, 2:8.2, 4:1, 4:2,  
4:6, 6:1, 8:6, 9:3  
Reliance, 1:1, 1:3 to 2:5, 2:7, 2:8.2,  
2:12.5, 3:1, 3:3 to 5:5, 5:7, 5:9,  
6:4, 7:5, 8:2, 12:6  
Statute of limitations, 1:3 to 2:3, 2:5,  
2:7 to 2:8.2, 2:12.5, 3:1, 3:3,  
3:3.1, 4:1, 4:2, 4:4, 4:6, 5:2 to

### FIDUCIARY DUTY—Cont'd

5:10, 5:13, 5:15, 6:1, 6:5, 7:5,  
8:5, 8:6, 9:2 to 9:5, 10:3, 16:2,  
18:11  
Stockholders, 5:6  
Substantial assistance, 6:2  
Trustees, 1:3, 4:1, 5:4, 5:15, 8:4 to  
12:6, 17:6  
Underwriters, 2:3, 6:1, 6:5, 8:2  
Will contests, 12:6

### FINANCIAL CONDITION

Damages, 3:4  
Insurance, 3:4

### FINANCIAL LOSS

Economic loss, 4:2, 6:2

### FINDINGS

Guardian, 3:1 to 4:2, 7:5, 9:4

### FINGERPRINTS

Battery, 4:1

### FIRE

Fire insurance, 2:5, 4:2  
Foreseeability, 3:1, 6:1  
Premises liability, 3:1, 8:2, 15:2  
Proximate cause, 1:4, 2:5, 3:1, 4:1,  
4:2, 5:5, 6:1, 8:2, 8:5 to 10:6,  
15:2, 15:3

### FIRE INSURANCE

Coverage, 2:5  
Fraud, 2:5, 4:2  
Intentional conduct, 2:5  
Interest, 2:5, 4:2  
Misrepresentation, 2:5, 4:2  
Notice, 2:5  
Warranty, 2:5

### FLOOR

Premises liability, 3:1, 10:20

### FORCE

Assault and battery, 2:8.1  
Battery, 2:8.1

**FOREIGN CORPORATIONS**

Jurisdiction, 2:3

**FORESEEABILITY**

Contracts, 6:2  
 Duty, 3:1, 6:1, 6:2, 6:5, 12:2  
 Liquidated damages, 3:1  
 Medical malpractice, 3:1  
 Negligent misrepresentation, 6:1, 6:5  
 Parks, 3:1, 6:5  
 Premises liability, 3:1  
 Proximate cause, 3:1, 6:1, 6:2  
 Rescue, 6:5  
 Suicide, 12:2

**FORGERY**

Defamation, 7:13  
 Emotional distress, 3:3.1, 5:2

**FRACTURE**

Release, 2:3

**FRANCHISE**

Defamation, 2:4  
 Fiduciary duty, 2:4, 5:5, 6:5, 8:4  
 Intentional torts, 5:5

**FRAUD AND DECEIT**

Affirmance, 5:15  
 Attorneys, 5:10, 5:15  
 Concealment, 5:10, 5:15  
 Constructive fraud, 5:10  
 Corporations, 5:15  
 Damages, 5:10, 5:15  
 Elements, 5:10  
 Estoppel, 5:10, 5:15  
 Evidence, 5:10, 5:15  
 Fiduciary duty, 5:10, 5:15  
 Insurance, 5:15  
 Intent to deceive, 5:10  
 Medical malpractice, 5:10  
 Mistake, 5:10  
 Negligence, 5:10, 5:15  
 Omission, 5:15  
 Omissions, 5:15  
 Opinion, 5:15

**FRAUD AND DECEIT—Cont'd**

Partnership, 5:15  
 Pleadings, 5:15  
 Products liability, 5:15  
 Real estate, 5:15  
 Remedies, 5:15  
 Statute, 5:10, 5:15  
 Statute of limitations, 5:10, 5:15  
 Trusts, 5:15

**FRIENDS**

Medical malpractice, 2:8.1, 9:4  
 Services rendered, 2:8.1

**GAS**

Conversion, 4:2, 9:4

**GIFTS**

Fiduciary duty, 5:9

**GOLF**

Children, 6:2

**GOOD FAITH**

Checks, 2:8.1, 8:4  
 Contracts, 1:4, 2:3, 2:8.1, 6:2, 17:9  
 Conversion, 2:3, 2:8.1, 2:12.1, 3:1, 3:3.1, 5:2, 5:5, 6:2, 7:13, 10:25  
 Defamation, 7:13  
 Employment contract, 2:3, 2:8.2, 5:5, 7:13  
 Employment discrimination, 2:5, 3:1, 5:5, 5:9  
 Fiduciary duty, 1:4, 1:5, 2:3, 2:5, 2:8.1, 2:8.2, 3:1, 3:3.1, 5:2, 5:5, 5:9, 5:15, 6:1, 6:2, 6:5, 7:13, 8:4, 9:2, 10:25, 12:6, 17:9, 19:5  
 Fire insurance, 2:5  
 Insurance, 1:4, 2:2, 2:3, 2:5, 2:8.1, 2:8.2, 3:1, 3:3.1, 5:2, 5:5, 5:9, 5:15, 6:1, 6:2, 6:5, 7:13, 9:2, 10:1, 10:9, 10:25, 19:5, 21:4  
 Malicious prosecution, 5:5

**GOVERNMENT**

Defamation, 7:13

## INDEX

### **GOVERNMENT—Cont'd**

Emotional distress, **2:2, 3:3, 4:2, 7:6.1**

### **GRAND JURY**

Malicious prosecution, **16:1, 20:8**

### **GROSS NEGLIGENCE**

Comparative negligence, **2:5**  
Contributory negligence, **2:5**  
Generally, **2:3**  
Indemnity, **1:1**  
Proximate cause, **2:3, 2:5, 2:8.2, 8:4, 9:4, 10:21, 16:2**  
Punitive damages, **2:8.2, 4:6**  
Question of fact, **1:1, 2:5, 9:4**

### **GUARANTEES**

Fraud, **3:3.1**

### **GUARDIAN AD LITEM**

Insurance, **1:1, 2:7, 3:2, 4:2, 7:5, 19:14**

### **GUARDIANS**

Clear and convincing evidence, **6:2**

### **GUIDANCE**

Wrongful death, **2:8.1, 6:5, 19:14, 20:6**

### **GUILT OR INNOCENCE**

Malicious prosecution, **16:1**

### **GUILTY PLEA**

Battery, **2:8.1, 16:1**  
Defamation, **2:12.5, 7:5**

### **HABEAS CORPUS**

Malicious prosecution, **5:5, 16:1**

### **HARASSMENT**

Emotional distress, **2:3, 4:2**  
Stalking, **2:3**

### **HEALTH**

Employment contract, **2:3**  
Insurance, **1:1, 1:4, 2:3, 2:5, 2:8.1, 5:8, 10:5, 14:3**  
Malicious prosecution, **20:4**

### **HEALTH—Cont'd**

Nuisance, **2:5**  
Wrongful death, **1:1, 2:3, 2:5, 2:8, 2:8.1, 8:4, 10:5**

### **HEALTH INSURANCE**

Insurance, **14:3**

### **HEARING**

Release, **3:1, 4:2, 5:5, 7:5, 7:13, 8:5, 16:1, 16:2**

### **HEARSAY**

Oath, **17:1**  
Premises liability, **3:1**

### **HERNIA**

Insurance, **9:2**

### **HIRING**

Employment discrimination, **5:5**

### **HISTORY**

Generally, **2:3**

### **HOSPITALS**

Proximate cause, **1:4**

### **HOUSEHOLD**

Police, **4:2**

### **HOUSING**

Discrimination, **2:5**

### **HUMILIATION**

Emotional distress, **4:2**

### **HUSBAND AND WIFE**

Immunity, **1:1, 6:2, 6:5**

### **ICE**

Snow and ice, **10:5**

### **IDEA**

Misappropriation, **3:1, 5:10**

### **ILL WILL**

Malice, **4:6, 6:1**

### **ILLEGALITY**

Generally, **2:3**

**ILLEGALITY—Cont'd**

Warranty, **2:3, 2:8.2**

**IMMUNITY**

Contribution, **3:3, 7:13, 10:7**

Generally, **2:3**

Indemnity, **1:1, 3:3**

Premises liability, **3:1**

Siblings, **2:3**

**IMPLIED CONTRACTS**

Insurance, **5:3**

**IMPLIED WAIVER**

Insurance, **1:3, 19:14**

**IMPRISONMENT**

Divorce, **3:1, 3:3, 5:5**

**INCAPACITY**

Insurance, **4:1**

**INCOME**

Fraud, **2:7, 2:8.1, 3:1, 4:2, 5:3, 5:5, 5:8, 6:2, 8:2, 8:4, 9:3, 9:4, 12:6, 16:1, 17:6**

**INCOME TAX**

Damages, **10:26**

**INDEMNITY**

Conflict of laws, **5:3**

Contractors, **1:1, 3:3**

Contribution and indemnity, **5:3**

Defenses, **3:3**

Gross negligence, **1:1**

Implied indemnity, **5:3**

**INDEPENDENT CONTRACTOR**

Employment discrimination, **9:3, 9:4**

General rule, **9:3, 9:4**

Medical malpractice, **9:4**

Negligence, **9:3, 9:4**

State, **9:3, 9:4**

**INDICTMENT**

Malicious prosecution, **16:1**

**INFORMED CONSENT**

Medical malpractice, **2:8.1, 19:14**

**INJURIES**

Personal injuries, **2:3, 3:2, 4:1 to 5:3, 5:8, 6:5, 7:2, 7:5, 12:2**

**INNOCENCE**

Guilt or innocence, **7:8, 16:1**

**INSANITY**

Divorce, **5:8**

**INSOLVENCY**

Insurance, **4:2, 17:10**

**INSURANCE**

Accountant malpractice, **2:7, 5:9**

Adjusters, **5:15**

Admissions, **2:1, 2:2, 2:8.1, 3:1, 5:5, 7:5, 9:2, 19:14**

Advice of counsel, **2:12.5, 3:3**

Age, **5:3, 6:4, 15:3**

Ambiguity, **2:5, 3:1, 5:15, 21:5**

As soon as practicable, **2:8.1, 19:14**

As soon as reasonably possible, **21:4**

Asbestos, **2:5, 5:3, 6:2, 7:5**

Attorney malpractice, **1:1, 2:1, 2:3, 2:5, 2:8.2, 3:1 to 3:3, 3:5, 4:1 to 5:3, 5:5, 5:7, 5:9, 5:15, 6:1, 6:2, 6:4, 6:5, 9:2, 13:8, 21:2**

Attorneys, **1:1, 1:3, 1:4, 2:1 to 2:3, 2:5, 2:7 to 2:9, 2:11, 2:12.5, 3:1 to 3:3.1, 3:5, 4:1, 4:2, 4:4, 5:2, 5:3, 5:5, 5:7 to 5:9, 5:15, 6:1, 6:2, 6:4, 6:5, 7:1.1, 7:5, 7:7, 7:8, 7:13, 9:2, 10:1, 10:5, 10:6, 10:8, 10:9, 10:15, 10:17, 10:25, 13:8, 14:3, 14:7, 15:3, 17:10, 18:2, 18:4, 18:11, 19:2, 19:5, 19:14, 20:6, 21:2, 21:5, 21:6**

Bonds, **2:7, 5:3**

Burden of proof, **2:1, 3:1 to 3:3.1, 3:8, 7:13**

Cancellation, **2:8.1, 7:5**

Children, **1:4, 2:3, 2:7, 2:8.1, 3:1, 3:4, 4:1, 4:2, 4:4, 5:2, 5:3, 5:7,**

INDEX

**INSURANCE—Cont'd**

5:9, 5:15, 6:1, 6:2, 6:5, 7:1.1, 14:1, 14:7, 19:14, 20:6  
Circumstantial evidence, 3:2  
Claims-made policy, 21:8  
Clear and convincing evidence, 2:8.1, 6:2, 7:5  
Consent of insured, 2:8.1  
Damages, 1:1, 1:3, 1:4, 2:1 to 2:3, 2:5, 2:7 to 2:9, 2:12.5, 3:1 to 3:5, 4:1, 4:2, 4:4, 5:2, 5:3, 5:5, 5:7 to 5:9, 5:15, 6:1, 6:2, 6:4, 6:5, 7:1.1, 7:5, 7:7, 7:13, 9:2, 10:1, 10:5, 10:6, 10:8, 10:15, 10:17, 10:25, 13:8, 14:7, 15:3, 18:4, 19:2, 19:14, 20:6, 21:2, 21:3, 21:5, 21:6, 21:8  
Defamation, 2:12.5, 5:3, 7:5, 7:13, 10:5  
Defense of insured, 19:14  
Defenses, 2:2, 2:3, 2:8.1, 3:3, 3:5, 4:1, 5:9, 7:1.1, 7:5, 7:7, 7:8, 7:13, 21:5  
Delay, 2:2, 2:3, 2:8.1, 2:8.2, 3:1 to 4:2, 4:4, 5:2, 5:3, 5:5, 5:15, 6:2, 7:13, 9:2, 10:9, 10:25, 14:7, 17:10, 19:14, 21:4  
Depositions, 1:1, 2:3, 3:2  
Disclaimer, 21:5  
Emotional distress, 2:2, 2:3, 2:5, 2:8.2, 3:3 to 4:2, 5:2, 5:8, 7:5, 10:5, 21:6  
Error of judgment, 2:2, 2:3, 7:13  
Excess insurance, 6:5, 19:2  
Exclusions, 10:5  
Fiduciary duty, 1:1, 1:3, 1:4, 2:1, 2:3, 2:5, 2:7 to 2:8.2, 2:12.5, 3:1 to 3:3.1, 3:5, 4:1, 4:2, 4:4, 5:2, 5:3, 5:5, 5:7 to 5:9, 5:15, 6:1, 6:2, 6:4 to 7:5, 7:13, 9:2, 10:6, 10:25, 13:3, 14:7, 18:11, 19:2, 19:5, 19:14, 20:6  
Financial condition, 3:4  
Fire insurance, 2:5, 4:2  
Fraud, 1:1, 1:3, 1:4, 2:1, 2:3, 2:5, 2:7 to 2:8.2, 3:1 to 3:3.1, 3:5, 4:2,

**INSURANCE—Cont'd**

4:4, 5:2, 5:3, 5:5, 5:7 to 5:9, 5:15, 6:1, 6:2, 6:4 to 7:5, 7:13, 10:6, 10:25, 14:3, 14:7, 18:11, 19:14, 21:3  
Fraud and deceit, 5:15  
Generally, 2:3, 5:7, 18:2  
Good faith, 1:4, 2:2, 2:3, 2:5, 2:8.1, 2:8.2, 3:1, 3:3.1, 5:2, 5:5, 5:9, 5:15, 6:1, 6:2, 6:5, 7:13, 9:2, 10:1, 10:9, 10:25, 19:5, 21:4  
Health, 1:1, 1:4, 2:3, 2:5, 2:8.1, 5:8, 10:5, 14:3  
Health insurance, 14:3  
Intent, 1:1, 1:3, 2:3, 2:5, 2:7, 2:8.1, 2:12.5, 3:3.1, 5:3, 5:5, 5:15, 6:1, 6:2, 6:5, 7:13, 10:5, 10:6, 21:3  
Interest, 1:1, 1:3, 1:4, 2:1 to 2:3, 2:5, 2:7 to 2:8.2, 2:11, 2:12.5, 3:1 to 3:3.1, 3:5, 4:1, 4:2, 4:4, 5:2, 5:3, 5:5, 5:7 to 5:9, 5:15, 6:1, 6:2, 6:5, 7:1.1, 7:5, 7:8, 7:13, 9:2, 13:3, 17:10, 18:11, 19:2, 19:5, 19:10, 19:14, 20:6  
Inventory, 3:1, 4:2  
Investigation, 1:4, 2:1 to 2:3, 2:7, 2:8.1, 2:11, 3:2 to 3:3.1, 4:1, 5:8, 5:9, 5:15, 6:2, 6:5, 7:5, 10:6, 10:8, 19:14  
Judgment, 1:1, 1:3, 1:4, 2:1 to 2:3, 2:5, 2:7 to 2:9, 2:11, 2:12.5, 3:1 to 3:5, 3:8, 4:1, 4:2, 4:4, 5:2, 5:3, 5:5, 5:7 to 5:9, 5:15, 6:1, 6:2, 6:4, 6:5, 7:1.1, 7:5, 7:13, 9:2, 10:1, 10:5, 10:6, 10:17, 10:25, 13:8, 14:3, 15:3, 17:10, 18:2, 18:11, 19:14, 21:3 to 21:6, 21:8  
Legal malpractice, 1:1, 1:3, 1:4, 2:1 to 2:3, 2:5, 2:7 to 2:9, 2:11, 2:12.5, 3:1 to 3:5, 3:8, 4:1, 4:2, 4:4, 5:2, 5:3, 5:5, 5:7 to 5:9, 5:15, 6:1, 6:2, 6:4, 6:5, 7:1.1, 7:5, 7:7, 7:8, 7:13, 9:2, 10:1, 10:5, 10:6, 10:8, 10:15, 10:17,

**INSURANCE—Cont'd**

10:25, 13:8, 14:1, 14:3, 14:7,  
15:3, 17:10, 18:2, 18:11, 19:2,  
19:5, 19:10, 19:14, 20:6, 21:2  
to 21:6, 21:8

Liens, 1:1, 2:8.1, 3:4

Mail, 1:3, 2:3, 2:8.1, 2:8.2, 3:3, 5:3,  
5:7, 6:4, 10:6, 13:8, 18:2

Malice, 2:3, 4:2, 6:1, 6:2

Materiality, 2:7

Medical malpractice, 1:1, 2:7, 2:8.1,  
3:1 to 3:3, 3:8, 4:1, 5:3, 5:5,  
5:7, 5:9, 7:5, 7:13, 9:2, 10:5,  
10:6, 10:25, 14:7, 18:11, 19:14,  
20:6, 21:3

Misrepresentation, 1:1, 1:4, 2:1, 2:3,  
2:5, 2:7 to 2:8.2, 2:12.5, 3:1 to  
3:4, 4:2, 5:2, 5:3, 5:5, 5:7, 5:8,  
5:15, 6:1, 6:4 to 7:5, 10:5, 18:2,  
21:8

Mitigation of damages, 2:5

Negligence, 1:1, 1:3, 1:4, 2:1 to 2:3,  
2:5, 2:7 to 2:9, 2:11, 2:12.5, 3:1  
to 3:5, 4:1, 4:2, 4:4, 5:2, 5:3,  
5:5, 5:7 to 5:9, 5:15, 6:1, 6:2,  
6:4, 6:5, 7:1.1, 7:5, 7:13, 9:2,  
10:1, 10:5, 10:6, 10:8, 10:15,  
10:17, 10:25, 13:8, 14:3, 14:7,  
15:3, 17:10, 18:4, 18:11, 20:6

Negotiations, 2:3, 2:8.2, 3:1, 3:3,  
6:2, 6:4 to 7:5, 10:6, 10:25,  
13:8, 19:2, 19:14

No-fault law, 3:1, 10:5

Parent, 2:9, 4:2, 5:15, 6:4, 10:25

Physicians, 3:2, 3:8, 5:9, 10:6

Pleading, 1:1, 2:3, 2:5, 2:7, 2:8.1,  
3:1 to 3:3.1, 5:3, 5:5, 5:15, 7:5,  
9:2, 10:6, 10:9, 10:25

Prejudicial effect, 2:8.1

Premises liability, 2:8.1, 3:1, 7:5,  
10:5

Premiums, 10:17, 13:3

Preponderance of evidence, 3:3.1,  
3:5

Prima facie case, 2:3, 2:5, 2:8.2, 3:1  
to 3:3, 3:5, 3:8, 4:1, 4:2, 10:5

**INSURANCE—Cont'd**

Privileged communications, 19:14

Privileges, 6:5

Privity, 1:1, 1:4, 2:3, 3:1, 6:1, 6:2,  
6:4 to 7:5

Property insurance, 6:2

Proximate cause, 1:4, 2:1 to 2:3, 2:5,  
2:8.2, 2:12.5, 3:1 to 3:5, 3:8,  
4:1, 4:2, 5:5, 6:1, 6:2, 7:5, 7:13,  
9:2, 10:5, 10:6, 10:8, 10:15,  
10:17, 10:25, 13:8, 14:7, 15:3,  
17:10

Punitive damages, 2:8.2, 4:1 to 6:1

Reinstatement, 1:1, 2:8.1, 9:2

Release, 2:3, 2:7, 2:8.2, 2:12.5, 3:1,  
4:2, 5:5, 5:7, 6:1, 7:5, 7:7, 7:13,  
10:6, 17:10, 21:3

Reliance, 1:1, 1:3 to 2:5, 2:7 to 2:9,  
2:12.5, 3:1, 3:3, 3:3.1, 5:5, 5:7,  
5:9, 6:4, 7:5, 7:8

Renewal, 5:8, 21:4, 21:5

Replacement cost, 4:2

Rescission, 2:3, 3:1 to 3:3, 7:5

Reservation of rights, 2:8.1, 2:12.5,  
19:5, 19:14

Service of process, 3:3

Settlement, 1:1, 1:3, 1:4, 2:2, 2:3,  
2:5, 2:7 to 2:8.2, 2:12.5, 3:1 to  
3:3.1, 3:5, 4:1, 4:2, 4:4, 5:2,  
5:3, 5:5, 5:7 to 5:9, 5:15, 6:1,  
6:2, 6:4 to 7:5, 7:7, 7:8, 7:13,  
10:5, 10:6, 10:8, 10:15, 10:25,  
14:3, 14:7, 17:10, 18:2, 18:4,  
19:2, 19:5, 19:10, 19:14, 21:4,  
21:8

Silence, 5:2, 7:5

Statute of frauds, 5:9, 7:13

Statute of limitations, 1:3, 1:4, 2:2,  
2:3, 2:5, 2:7 to 2:8.2, 2:12.5,  
3:1, 3:3 to 3:4, 4:1, 4:2, 4:4,  
5:2, 5:3, 5:5, 5:7 to 5:9, 5:15,  
6:1, 6:5, 7:1.1, 7:5, 9:2, 10:5,  
18:11, 21:8

Statutes, 2:5, 2:8.2, 2:9, 3:1, 3:2, 3:5,  
5:2, 5:3, 5:5, 5:7 to 5:9, 6:4

## INDEX

### INSURANCE—Cont'd

- Subrogation, 2:5, 6:2, 6:4, 6:5, 18:11, 19:2
- Tax documents, 6:4
- Title insurance, 2:9, 3:1, 5:3, 5:7, 10:1, 10:13, 10:25, 13:8, 21:3, 21:8
- Underwriters, 2:3, 6:1, 6:5
- Warranty, 2:3, 2:5, 2:8.2, 6:1, 13:8

### INTANGIBLES

- Damages, 1:1, 6:5

### INTELLIGENCE

- Children, 5:7, 6:1

### INTENT

- Assault, 1:1, 2:5, 2:8.1
- Assault and battery, 2:8.1
- Battery, 2:8.1
- Circumstantial evidence, 20:1
- Conversion, 2:3, 2:7, 2:8.1, 3:3.1, 5:3, 5:5, 5:10, 6:2, 7:13, 8:10, 9:4
- Defamation, 2:12.5, 5:3, 7:13, 10:5
- Definition of, 2:3, 2:12.5, 5:15, 6:1, 6:5
- Emotional distress, 2:3, 2:5, 3:3.1, 10:5
- Generally, 2:3
- Insurance, 1:1, 1:3, 2:3, 2:5, 2:7, 2:8.1, 2:12.5, 3:3.1, 5:3, 5:5, 5:15, 6:1, 6:2, 6:5, 7:13, 10:5, 10:6, 21:3
- Interference with contractual relations, 2:3
- Prima facie tort, 20:3

### INTENTIONAL TORTS

- Comparative negligence, 2:5
- Contributory negligence, 2:5
- Fiduciary duty, 2:5, 5:5, 6:1
- Franchise, 5:5
- Malicious prosecution, 5:5
- Nuisance, 2:5

### INTEREST

- Conflict of laws, 5:3
- Contracts, 1:1, 1:4, 2:3, 2:8.1, 4:1 to 5:3, 6:2, 17:8, 17:9, 20:7
- Employment contract, 2:3, 2:8.2, 2:12.5, 5:5, 7:5, 7:13
- Insurance, 1:1, 1:3, 1:4, 2:1 to 2:3, 2:5, 2:7 to 2:8.2, 2:11, 2:12.5, 3:1 to 3:3.1, 3:5, 4:1, 4:2, 4:4, 5:2, 5:3, 5:5, 5:7 to 5:9, 5:15, 6:1, 6:2, 6:5, 7:1.1, 7:5, 7:8, 7:13, 9:2, 13:3, 17:10, 18:11, 19:2, 19:5, 19:10, 19:14, 20:6
- Post-judgment interest, 4:5
- Present value, 17:7
- Privacy, 18:11
- Products liability, 2:7, 3:1, 5:15, 8:5, 19:14
- Property damage, 1:3, 3:3.1, 7:13, 9:4
- Punitive damages, 2:8.2, 4:1, 4:2, 4:6, 6:1, 8:6, 9:3, 10:26
- Wrongful death, 1:1, 2:3, 2:5, 2:7 to 2:8.1, 3:1 to 3:3, 4:1 to 5:3, 5:6, 5:9, 5:10, 6:2, 6:5, 8:4 to 8:6, 8:9, 9:4, 9:5, 10:3, 12:2, 12:6, 19:10, 19:14, 20:6

### INTERNET

- E-mail, 2:3

### INTERROGATORIES

- Depositions, 9:3

### INTERVENING CAUSES

- Proximate cause, 3:1, 3:3.1

### INVASION OF PRIVACY

- Privacy, 10:5, 18:11, 20:8

### INVENTORY

- Insurance, 3:1, 4:2

### INVESTIGATION

- Accountant malpractice, 2:7, 5:9
- Defamation, 7:5
- Insurance, 1:4, 2:1 to 2:3, 2:7, 2:8.1, 2:11, 3:2 to 3:3.1, 4:1, 5:8, 5:9,

**INVESTIGATION—Cont'd**

5:15, 6:2, 6:5, 7:5, 10:6, 10:8,  
19:14

Malicious prosecution, 16:1, 20:2

**INVESTMENTS**

Fiduciary duty, 1:1, 2:1, 2:3 to 2:5,  
2:7, 2:12.5, 3:1 to 3:3, 3:5, 4:1  
to 5:3, 5:5, 5:8, 6:1, 7:5, 9:3

**ISSUE PRECLUSION**

Defenses, 7:5

**JOINT TORTFEASORS**

Damages, 7:13  
Medical malpractice, 7:13

**JUDGES**

Juror, 9:4  
Malicious prosecution, 5:5, 20:1

**JUDGMENT**

Insurance, 1:1, 1:3, 1:4, 2:1 to 2:3,  
2:5, 2:7 to 2:9, 2:11, 2:12.5, 3:1  
to 3:5, 3:8, 4:1, 4:2, 4:4, 5:2,  
5:3, 5:5, 5:7 to 5:9, 5:15, 6:1,  
6:2, 6:4, 6:5, 7:1.1, 7:5, 7:13,  
9:2, 10:1, 10:5, 10:6, 10:17,  
10:25, 13:8, 14:3, 15:3, 17:10,  
18:2, 18:11, 19:14, 21:3 to 21:6,  
21:8

**JUDGMENT CREDITORS**

Insurance, 7:13

**JUDICIAL NOTICE**

Expert testimony, 9:4

**JURISDICTION**

Abuse of process, 2:3, 7:5, 20:1  
Federal courts, 7:5, 17:5  
Generally, 2:3  
Guardian, 2:7, 3:1, 7:5, 12:6  
Malicious prosecution, 20:1

**JURORS**

Termination of employment, 9:4

**JURY TRIAL**

Divorce, 9:4, 10:6

**JURY TRIAL—Cont'd**

Waiver, 16:1

**JUSTIFICATION**

Battery, 4:1  
Capacity, 4:1, 6:1, 7:5  
Consent, 5:2, 7:5, 20:3  
Emotional distress, 5:2, 7:5  
Insurance, 4:1, 5:2, 6:1, 7:5  
Litigation privilege, 6:1

**LABORATORY**

Medical malpractice, 2:7, 3:1, 8:4 to  
20:6

**LACHES**

Insurance, 10:15

**LEGAL MALPRACTICE**

Attorney malpractice, 1:1, 2:1, 2:3,  
2:5, 2:8.2, 3:1 to 3:3, 3:5, 3:6,  
4:1 to 5:7, 5:9, 5:15, 6:1, 6:2,  
6:4, 6:5, 8:3, 9:2 to 9:4, 13:8,  
17:5, 21:2  
Avoidance, 2:7, 2:8.1, 2:12.2, 3:3,  
5:7, 5:9, 8:6, 8:10, 17:10  
Burden of proof, 2:1, 3:1 to 3:3.1,  
3:6, 3:8, 4:6, 7:13, 10:18  
Causation, 1:3, 1:4, 2:1 to 2:3, 2:5,  
2:7 to 2:8.2, 3:1 to 3:6, 3:9, 4:1,  
4:2, 4:4, 7:2, 7:5, 7:13, 8:2, 8:5,  
9:2 to 9:5, 10:3, 10:5, 10:6,  
10:12, 10:18, 10:19, 14:7, 15:3,  
16:1, 17:5, 17:6, 17:9, 17:10,  
18:3, 19:12, 20:6  
Contracts, 1:1, 1:4, 2:3, 2:8.1,  
2:12.2, 4:1 to 5:3, 6:2, 17:8,  
17:9  
Damages, 1:1 to 1:4, 2:1 to 2:5, 2:7  
to 2:9, 2:12.2, 2:12.5, 3:1 to  
3:5, 3:9, 4:1 to 4:8, 5:2 to 5:10,  
5:13, 5:15, 6:1, 6:2, 6:4, 6:5,  
7:1.1, 7:2, 7:5, 7:7, 7:10, 7:13,  
8:2, 8:4 to 8:7, 8:9, 8:10, 9:2 to  
9:6, 10:1, 10:3 to 10:8, 10:12,  
10:15, 10:17, 10:18, 10:20,  
10:22, 10:25, 10:26, 12:2, 12:6,  
13:5, 13:7 to 14:7, 15:1, 15:3,

## INDEX

### LEGAL MALPRACTICE—Cont'd

15:5, 16:1 to 17:1, 17:5 to 17:9,  
18:3, 19:2, 19:9, 19:12, 19:14,  
20:6, 21:2, 21:3, 21:5, 21:6,  
21:8  
Defenses, 2:2, 2:3, 2:8.1, 2:12.2, 3:3,  
3:5, 4:1, 5:9, 7:1 to 7:3, 7:5 to  
7:11, 7:13, 8:6, 9:3, 9:4, 10:22,  
16:2, 18:5, 18:7, 21:5  
Domestic relations, 2:8.1, 4:2, 9:4,  
9:6, 10:22, 14:1 to 14:3, 14:7  
Estate administration, 3:5, 5:9, 12:2  
Estate planning, 2:8.2, 2:12.5, 5:5,  
6:1 to 6:5, 8:4, 12:2, 12:6, 14:3  
Expert testimony, 1:4, 2:2, 2:3, 2:5,  
2:7 to 2:8.2, 2:11, 3:2, 3:5, 4:1,  
4:2, 4:4, 8:5, 9:1 to 9:6, 10:2,  
10:6, 10:10, 15:5, 16:1, 17:1,  
20:6  
Family law, 14:7  
Generally, 2:3, 5:7, 10:14, 17:4, 18:2  
Insurance, 1:1, 1:3, 1:4, 2:1 to 2:3,  
2:5, 2:7 to 2:9, 2:11, 2:12.5, 3:1  
to 3:5, 3:8, 4:1, 4:2, 4:4, 5:2,  
5:3, 5:5, 5:7 to 5:9, 5:15, 6:1,  
6:2, 6:4, 6:5, 7:1.1, 7:5, 7:7,  
7:8, 7:13, 9:2, 10:1, 10:5, 10:6,  
10:8, 10:15, 10:17, 10:25, 13:8,  
14:1, 14:3, 14:7, 15:3, 17:10,  
18:2, 18:11, 19:2, 19:5, 19:10,  
19:14, 20:6, 21:2 to 21:6, 21:8  
Litigation activities, 4:2  
Negligence, 1:1 to 1:4, 2:1 to 2:12.5,  
3:1 to 3:6, 3:9, 4:1, 4:2, 4:4,  
4:6, 4:7, 5:2 to 5:10, 5:13, 5:15,  
6:1, 6:2, 6:4, 6:5, 7:1.1 to 7:2.1,  
7:5, 7:6.1, 7:13, 8:2 to 8:6, 8:9,  
9:2 to 9:6, 10:1 to 10:8, 10:10,  
10:12, 10:14 to 10:22, 10:24,  
10:25, 12:2, 12:3, 12:6, 13:4 to  
13:8, 14:2, 14:3, 14:7, 15:1 to  
15:3, 16:1 to 17:1, 17:5, 17:6,  
17:8 to 17:10, 18:3, 18:11,  
19:12, 20:6  
Prevention, 2:4, 5:3, 5:14, 8:9, 12:2  
Tax matters, 1:1, 12:2

### LEGAL MALPRACTICE—Cont'd

Wills, 12:2, 12:3, 12:5, 12:6

### LETTER

Defamation, 2:4, 2:12.5, 5:3, 7:5,  
10:5  
Divorce, 1:1, 2:2, 2:3, 2:8, 2:8.1,  
2:12.5, 3:1, 3:3.1, 4:1, 5:2, 5:3,  
5:5 to 5:9, 6:1, 6:2, 7:5, 8:10,  
9:3, 10:21, 18:11

### LIBEL

Defamation, 20:4

### LICENSES

Expert testimony, 2:8, 2:8.1, 4:2,  
17:1  
Medical malpractice, 2:8.1

### LIENS

Attorneys, 1:1, 2:8.1, 9:4, 10:4, 17:9,  
19:12, 20:9  
Conversion, 2:8.1, 9:4  
Insurance, 1:1, 2:8.1, 3:4  
Medicaid, 2:8.1, 10:4

### LIFE EXPECTANCY

Damages, 12:6, 17:5  
Tables, 12:6

### LIFE INSURANCE

Misrepresentation, 1:4, 2:3, 2:7,  
2:12.5, 4:2, 5:2, 5:5, 6:1, 6:4,  
7:5  
Suicide, 4:2  
Warranty, 2:3, 6:1

### LIMITATION OF LIABILITY

Banks, 2:3  
Insurance, 2:3

### LIMITED LIABILITY

#### COMPANIES

Fiduciary duty, 1:1, 2:4, 2:8.1, 5:2,  
5:5, 6:2, 6:3, 17:6, 19:2

### LIMITED PARTNERSHIP

Agreement, 1:1, 1:4, 5:4, 6:4, 7:5,  
17:9

**LIQUIDATED DAMAGES**

Specific performance, 3:1

**LOANS**

Conversion, 2:3, 3:3, 3:5, 5:5, 9:4

Negligent misrepresentation, 2:3, 5:8, 9:4, 10:7

**LOST PROFITS**

Damages, 4:2, 8:2, 8:6, 9:4, 12:6, 17:5

**LOYALTY**

Fiduciary duty, 1:1, 1:4, 2:1, 2:3, 2:8.1, 2:8.2, 3:1, 3:2, 4:4, 5:3, 6:1 to 6:3, 7:13, 12:6, 19:2, 19:14

**LUMP SUM**

Medical malpractice, 9:4

**MAGISTRATE**

Abuse of process, 2:3

**MAIL**

Defamation, 5:3, 5:4

Insurance, 1:3, 2:3, 2:8.1, 2:8.2, 3:3, 5:3, 5:7, 6:4, 10:6, 13:8, 18:2

**MALICE**

Battery, 4:6

Clear and convincing evidence, 6:2

Employment discrimination, 4:6

Generally, 2:3

Insurance, 2:3, 4:2, 6:1, 6:2

Interference with contractual relations, 2:3

Parks, 4:2

Punitive damages, 4:2, 4:6, 6:1

**MALICIOUS PROSECUTION**

Abuse of process, 20:1, 20:2

Actual loss, 5:4, 5:5

Arrest, 16:1

Attorneys, 5:4 to 8:6, 16:1, 20:1, 20:6, 20:7, 20:9

Bankruptcy, 5:4 to 8:6, 20:9

Causation, 16:1, 20:6

**MALICIOUS PROSECUTION**

—Cont'd

Circumstantial evidence, 20:1

Colorable claim, 16:1

Complaint, 5:4 to 8:6, 16:1, 20:2, 20:4

Credit, 20:9

Damages, 5:4 to 8:6, 16:1, 20:2, 20:5, 20:6

Defenses, 8:6

Dismissal, 5:5, 8:6, 16:1

Elements, 5:4, 5:5, 16:1, 20:1 to 20:3

Emotional distress, 5:4, 8:6, 20:5

Employers, 20:2, 20:3, 20:5

Evidence, 5:4, 5:5, 16:1, 20:1 to 20:7

Favorable termination, 16:1, 20:1

Good faith, 5:5

Grand jury, 16:1, 20:8

Guilt or innocence, 16:1

Health, 20:4

Indictment, 16:1

Interest, 5:4 to 8:6, 16:1, 20:6, 20:7, 20:9

Interference with prospective economic relations, 20:7

Investigation, 16:1, 20:2

Malice, 20:1

Motive, 20:1 to 20:3

Negligence, 5:4 to 8:6, 16:1, 20:6

Prima facie case, 16:1

Prima facie tort, 20:3

Probable cause, 16:1, 20:1 to 20:3, 20:5

Property, 5:4 to 8:6, 20:6

Punitive damages, 8:6

Purpose, 5:5, 20:1, 20:2, 20:4, 20:6

Replevin, 5:5

Scope of employment, 20:7

Settlement, 5:4 to 8:6, 20:1, 20:2, 20:4

Underlying criminal prosecution, 16:1

## INDEX

### MALPRACTICE

Accountant malpractice, 2:7, 5:9  
Attorney malpractice, 1:1, 2:1, 2:3, 2:5, 2:8.2, 3:1 to 3:3, 3:5, 3:6, 4:1 to 5:7, 5:9, 5:15, 6:1, 6:2, 6:4, 6:5, 8:3, 9:2 to 9:4, 13:8, 17:5, 21:2  
Burden of proof, 2:1, 3:1 to 3:3.1, 3:6, 3:8, 4:6, 7:13, 10:18  
Community standard, 9:2  
Educational, 2:3, 3:1, 6:2  
Evidence, 1:1 to 1:4, 2:1 to 2:5, 2:7 to 2:10, 2:12 to 2:12.5, 3:1 to 3:6, 3:8, 3:9, 4:1 to 4:8, 5:1 to 5:10, 5:12, 5:15, 6:1 to 6:5, 7:2, 7:2.1, 7:5 to 7:9, 7:13, 8:2, 8:4, 8:7, 8:10, 9:2 to 9:6, 10:1, 10:5 to 10:7, 10:14, 10:17 to 10:20, 10:25, 10:26, 12:2, 12:3, 12:6, 13:2, 13:4, 13:5, 13:8, 14:1, 14:7, 15:1, 16:1 to 17:1, 17:5 to 17:10, 18:2, 18:3, 18:7, 18:11, 19:2, 19:5, 19:9, 19:10, 19:12, 19:14, 20:1, 20:5 to 20:7, 21:4, 21:5  
Fraud, 1:1, 1:3, 1:4, 2:1, 2:3, 2:5, 2:7 to 2:8.2, 3:1 to 3:3.1, 3:5, 3:6, 4:2, 4:4, 4:6, 5:2 to 5:10, 5:15, 6:1, 6:2, 6:4 to 7:5, 7:11, 7:13, 8:2 to 8:4, 8:6, 8:10, 9:3, 9:4, 10:6, 10:7, 10:25, 11:5, 12:2, 12:3, 12:6, 14:3, 14:7, 16:1, 16:2, 17:6, 18:11, 19:14, 21:3  
Medical malpractice, 1:1, 2:7, 2:8.1, 2:12.2, 3:1 to 3:3, 3:6, 3:8, 3:9, 4:1, 5:3, 5:5, 5:7, 5:9, 5:10, 7:5, 7:13, 8:4, 8:5, 9:2, 9:4, 10:5 to 10:7, 10:25, 12:6, 14:7, 15:1, 15:5, 18:11, 19:3, 19:6, 19:12, 19:14, 20:6, 20:7, 21:3  
Professional services rendered, 3:1, 7:5  
Res judicata and collateral estoppel, 7:5  
Standard of care, 2:1 to 2:12.5, 3:1 to 3:3, 3:5, 3:8, 4:1, 4:2, 4:4,

### MALPRACTICE—Cont'd

4:6, 5:2, 6:1, 7:2, 7:5, 7:6.1, 8:2, 8:4, 9:1 to 9:6, 10:2, 10:4, 10:6 to 10:8, 12:6, 13:5, 14:7, 16:1, 17:5, 17:10, 19:2, 20:6  
Statute of limitations, 1:3, 1:4, 2:2, 2:3, 2:5, 2:7 to 2:8.2, 2:12.5, 3:1, 3:3 to 3:4, 3:9, 4:1, 4:2, 4:4, 4:6, 5:1 to 5:15, 6:1, 6:5, 7:1.1, 7:5 to 8:7, 9:2 to 9:5, 10:3 to 10:5, 10:12, 10:22, 10:26, 16:2, 18:11, 21:8

### MANUFACTURING

Products liability, 10:6, 19:14

### MANUSCRIPT

Damages, 3:3.1

### MARKET VALUE

Contracts, 4:1, 4:2

### MARKETABLE TITLE

Attorney malpractice, 3:1

### MARRIAGE

Defamation, 2:12.5, 5:4

### MATERIALITY

Insurance, 2:7

### MEDICAL EXPENSES

Damages, 2:3, 2:7, 4:1, 5:5, 10:7  
Pain and suffering, 4:1  
Personal injury, 2:3, 4:1, 5:5, 10:7  
Professional services, 2:3, 2:7, 5:5

### MEDICAL MALPRACTICE

Agency, 1:1, 2:8.1, 3:1, 4:1, 7:13, 18:11  
Arbitration, 1:1, 2:8.1, 3:1, 3:3, 5:5, 7:5, 7:13, 8:4, 10:6  
Automobile, 2:7, 2:8.1, 3:1, 4:1, 5:5, 5:9, 8:4, 9:2, 10:6, 10:7  
Battery, 2:8.1, 4:1, 14:7  
Best judgment, 1:1, 3:1  
Birth, 3:1  
Burden of proof, 3:1, 3:2, 3:6, 3:8, 7:13

**MEDICAL MALPRACTICE**

—Cont'd

Causation, 2:7, 2:8.1, 3:1 to 3:3, 3:6, 3:9, 4:1, 7:5, 7:13, 8:5, 9:2, 9:4, 10:5 to 14:7, 19:12, 20:6  
 Child support, 2:8.1, 3:9, 8:4 to 9:4, 10:25  
 Children, 2:7, 2:8.1, 3:1, 4:1, 5:3, 5:7, 5:9, 8:4, 9:4, 12:6, 14:7, 19:14, 20:6  
 Circumstantial evidence, 3:2  
 Clear and convincing evidence, 2:8.1, 7:5  
 Community standard, 9:2  
 Concealment, 1:1, 2:7, 5:3, 5:5, 5:7, 5:10, 7:5, 8:4, 10:7, 18:11  
 Conduct, 1:1, 2:7, 2:8.1, 2:12.2, 3:1 to 3:3, 4:1, 5:3, 5:5, 5:7, 5:9, 5:10, 7:5, 7:13, 8:4, 8:5, 9:2, 9:4, 10:6, 10:7, 10:25, 12:6, 14:7, 18:11, 19:3, 19:12, 19:14, 20:6, 20:7, 21:3  
 Confidentiality, 2:8.1, 3:2, 8:4  
 Consent, 1:1, 2:8.1, 3:1, 3:2, 3:9, 5:3, 5:5, 5:7, 5:9, 5:10, 7:5, 7:13, 10:6, 14:7, 19:14  
 Consent. informed consent., 2:8.1, 3:1 to 3:3, 3:8, 4:1, 8:4, 9:2, 9:4, 10:5 to 10:7, 15:5  
 Consortium, 1:1, 8:4  
 Contracts, 1:1, 2:8.1, 2:12.2, 4:1, 5:3, 20:7  
 Contribution and indemnity, 5:3  
 Damages, 1:1, 2:7, 2:8.1, 2:12.2, 3:1 to 3:3, 3:9, 4:1, 5:3, 5:5, 5:7, 5:9, 5:10, 7:5, 7:13, 8:4, 8:5, 9:2, 9:4, 10:5 to 10:7, 10:25, 12:6, 14:7, 15:1, 15:5, 19:12, 19:14, 20:6, 21:3  
 Deception, 5:3, 5:10, 7:5  
 Defamation, 5:3, 7:5, 7:13, 10:5, 20:7  
 Defenses, 2:8.1, 2:12.2, 3:3, 4:1, 5:9, 7:5, 7:13, 9:4  
 Depositions, 1:1, 3:2  
 Derivative claim, 5:9, 12:6

**MEDICAL MALPRACTICE**

—Cont'd

Earnings, 3:9, 8:4  
 Elements, 1:1, 2:7, 2:8.1, 3:1 to 3:3, 3:6, 3:8, 4:1, 5:3, 5:5, 5:7, 5:10, 7:5, 8:4, 8:5, 9:2, 9:4  
 Emergency, 5:5, 12:6  
 Emotional distress, 3:3, 7:5, 10:5, 19:6, 19:12  
 Error of judgment, 7:13, 8:4, 9:4  
 Expert testimony, 2:7, 2:8.1, 3:2, 4:1, 8:5, 9:2, 9:4, 10:6, 15:5, 20:6  
 Foreseeability, 3:1  
 Fraud and deceit, 5:10  
 Generally, 5:7  
 Independent contractor, 9:4  
 Informed consent, 2:8.1, 19:14  
 Insurance, 1:1, 2:7, 2:8.1, 3:1 to 3:3, 3:8, 4:1, 5:3, 5:5, 5:7, 5:9, 7:5, 7:13, 9:2, 10:5, 10:6, 10:25, 14:7, 18:11, 19:14, 20:6, 21:3  
 Intent, 1:1, 2:7, 2:8.1, 5:3, 5:5, 5:10, 7:13, 8:4, 9:4, 10:5 to 12:6, 21:3  
 Licenses, 2:8.1  
 Life expectancy, 12:6  
 Locality rule. standard of care and locality rule., 2:8.1, 3:1 to 3:3, 3:8, 4:1, 8:4, 9:2, 9:4, 10:5 to 10:7, 15:5  
 Medical expenses, 2:7, 4:1, 5:5, 10:7  
 Mental health professionals. psychotherapists and other mental health professionals., 2:8.1, 3:1 to 3:3, 3:8, 4:1, 8:4, 9:2, 9:4, 10:5 to 10:7, 15:5  
 Negligence, 1:1, 2:7, 2:8.1, 3:1 to 3:3, 3:6, 3:9, 4:1, 5:3, 5:5, 5:7, 5:9, 5:10, 7:5, 7:13, 8:4, 8:5, 9:2, 9:4, 10:5 to 10:7, 10:25, 12:6, 14:7, 15:1, 18:11, 19:12, 20:6  
 Opinion, 1:1, 2:7, 2:8.1, 2:12.2, 3:1, 3:2, 3:6, 5:3, 5:5, 5:7, 5:9, 7:5, 9:2, 9:4, 10:25

## INDEX

### MEDICAL MALPRACTICE

#### —Cont'd

- Pain and suffering, 4:1, 14:7
- Payment, 1:1, 2:7, 2:8.1, 2:12.2, 3:1, 3:3, 4:1, 5:3, 5:5, 8:4, 9:4, 19:14, 21:3
- Personal injury, 1:1, 2:8.1, 3:1 to 3:3, 4:1, 5:3, 5:5, 5:7, 5:9, 5:10, 7:5, 8:4, 8:5, 9:2, 9:4, 10:5 to 10:7, 10:25
- Plastic surgeon, 10:6
- Prima facie case, 3:1 to 3:3, 3:6, 3:8, 4:1, 9:4, 10:5
- Privileged communications, 19:14
- Products liability, 2:7, 3:1, 8:5, 10:6, 10:7, 19:14
- Professional services rendered, 3:1, 7:5
- Punitive damages, 4:1, 15:1
- Reliance, 1:1, 2:7, 3:1, 3:3, 5:5, 5:7, 5:9, 7:5, 12:6
- Services rendered, 2:8.1, 2:12.2, 3:1, 5:5, 7:5, 19:14
- Standard of care, 2:7, 2:8.1, 2:12.2, 3:1 to 3:3, 3:8, 4:1, 7:5, 8:4, 9:2, 9:4, 10:6 to 12:6, 14:7, 20:6
- Statute of limitations, 2:7, 2:8.1, 3:1, 3:3, 3:9, 4:1, 5:3, 5:5, 5:7, 5:9, 5:10, 7:5, 8:5, 9:2, 9:4, 10:5, 18:11
- Substantial factor, 3:1, 3:3, 7:13, 8:5
- Supervision, 2:7, 8:5, 9:4, 18:11
- Third person, 2:8.1
- Wrongful death, 1:1, 2:7, 2:8.1, 2:12.2, 3:1 to 3:3, 3:8, 4:1, 5:3, 5:9, 5:10, 8:4 to 9:4, 10:5, 10:25, 12:6, 19:14, 20:6

### MEDICAL RECORDS

- Access, 2:8.1, 5:15
- Diagnosis, 5:8
- Disclosure, 2:8.1
- Emotional distress, 5:8
- Expert testimony, 2:8.1, 4:1
- Medical malpractice, 2:8.1, 4:1

### MEDICAL RECORDS—Cont'd

- Physician-patient privilege, 4:1
- Third parties, 2:8.1
- Unions, 2:8.1

### MEETING OF MINDS

- Contracts, 1:1

### MENTAL ANGUISH

- Emotional distress, 4:2

### MENTAL CAPACITY

- Children, 1:4, 6:1, 12:6
- Life insurance, 1:4, 6:1

### MENTAL DISTRESS

- Emotional distress, 2:8.2, 4:2, 20:5

### MINORS

- Children, 12:6

### MISDEMEANOR

- Defamation, 7:5

### MISFEASANCE

- Negligence, 2:8.1, 3:1, 3:3, 7:6.1

### MISREPRESENTATION

- Fraud and deceit, 5:10, 5:15
- Negligent misrepresentation, 1:1, 1:4, 2:3 to 2:5, 2:7, 2:8.2, 2:12.5, 3:3.1 to 5:4, 5:8, 5:10, 6:1, 6:3 to 6:5, 7:5, 8:5, 8:10, 9:4, 10:4, 10:5, 10:7, 10:22, 16:2, 17:6, 18:2, 21:8

### MISTAKE

- Checks, 2:8.1, 5:3
- Clear and convincing evidence, 2:8.1
- Defamation, 5:3, 10:5
- Fraud and deceit, 5:10
- Generally, 2:3, 5:7
- Insurance, 2:2, 2:3, 2:5, 2:8.1, 3:1, 5:3, 5:5, 5:7, 7:1.1, 10:1, 10:5, 10:6, 18:11
- Malicious prosecution, 5:5
- Privacy, 10:5, 18:11
- Trespass, 3:1

**MITIGATION**

Battery, 2:8.1  
 Contracts, 2:8.1  
 Damages, 2:5, 2:8.1, 4:7  
 Insurance, 2:5, 2:8.1  
 Medical malpractice, 2:8.1

**MONEY**

Conversion, 2:3, 2:7, 2:8.1, 3:1,  
 3:3.1, 3:5, 4:2, 5:2, 5:3, 7:5,  
 8:10, 9:4, 10:25, 20:6

**MORAL TURPITUDE**

Punitive damages, 4:6

**MORTGAGES**

Negligent misrepresentation, 2:8.2,  
 6:5, 9:4

**MOTIONS**

Abuse of process, 2:3, 4:2

**MOTIVE**

Circumstantial evidence, 20:1

**MURDER**

Battery, 16:1

**NECK**

Release, 4:2

**NEGLIGENCE**

Burden of proof, 2:1, 3:1 to 3:3.1,  
 3:6, 4:6, 7:13, 10:18  
 Carriers, 1:1, 2:1, 2:2, 2:5, 3:1, 3:5,  
 4:1, 6:5, 9:2, 9:4, 10:5  
 Comparative negligence, 2:5, 6:4,  
 7:2.1  
 Conflict of laws, 5:3  
 Contracts, 1:1, 1:4, 2:3, 2:8.1, 4:1 to  
 5:3, 6:2, 17:8, 17:9  
 Contributory negligence, 2:5, 2:8.1,  
 7:2  
 Custom, 16:2  
 Defamation, 2:4, 2:12.5, 5:3 to 7:5,  
 7:13, 10:5, 10:14  
 Defined, 1:1, 1:2, 1:4, 2:1 to 2:3,  
 2:8, 2:11, 3:1, 4:1, 5:5 to 5:7,

**NEGLIGENCE—Cont'd**

6:1, 6:5, 8:4, 9:4  
 Duties owed, 1:1, 1:2, 1:4, 2:1, 2:5,  
 2:8.1, 3:1, 5:3, 9:4, 12:3  
 Economic loss, 4:2, 5:3, 6:2, 7:13  
 Elements of cause of action, 5:5  
 Emotional distress, 2:2, 2:3, 2:5,  
 2:8.2, 3:3 to 4:2, 4:6, 5:2, 5:4,  
 5:8, 7:5 to 8:6, 10:5, 15:2, 16:2,  
 19:12  
 Failing to act, 1:1, 3:1, 4:7, 8:5, 16:2  
 Foreseeability, 3:1, 6:1, 6:2, 6:5,  
 12:2  
 Fraud and deceit, 5:10, 5:15  
 Generally, 2:3, 5:7, 10:14  
 Gross negligence, 1:1, 2:3, 2:5,  
 2:8.2, 4:6, 5:15, 8:4, 9:4, 10:21,  
 16:2  
 History, 1:1, 2:3, 2:8.1, 4:2, 18:3  
 Insurance, 1:1, 1:3, 1:4, 2:1 to 2:3,  
 2:5, 2:7 to 2:9, 2:11, 2:12.5, 3:1  
 to 3:5, 4:1, 4:2, 4:4, 5:2, 5:3,  
 5:5, 5:7 to 5:9, 5:15, 6:1, 6:2,  
 6:4, 6:5, 7:1.1, 7:5, 7:13, 9:2,  
 10:1, 10:5, 10:6, 10:8, 10:15,  
 10:17, 10:25, 13:8, 14:3, 14:7,  
 15:3, 17:10, 18:4, 18:11, 20:6  
 Insurance companies, 2:8.1, 2:8.2  
 Interference with contractual rela-  
 tions, 2:3, 3:1  
 Land, 1:1, 2:4, 2:5, 3:1 to 3:3, 4:2,  
 5:8, 6:1 to 7:1.1, 9:4, 10:25,  
 13:8, 17:10  
 Malicious prosecution, 5:4 to 8:6,  
 16:1, 20:6  
 Misfeasance, 2:8.1, 3:1, 3:3, 7:6.1  
 No-fault law, 3:1, 10:5  
 Nonfeasance, 3:3  
 Per se. statute, ordinance, or regula-  
 tion, violation of., 2:1 to 2:3,  
 2:5, 2:8 to 2:9, 2:11, 2:12.5, 3:1  
 to 3:3.1, 3:5, 4:1, 4:2, 8:4, 9:2  
 to 10:7, 16:1  
 Privacy, 10:5, 18:11  
 Products liability, 2:7, 3:1, 5:15, 8:5,  
 10:6, 10:7

## INDEX

### NEGLIGENCE—Cont'd

Professional negligence, 1:1, 1:3, 1:4, 2:1 to 2:3, 2:5, 2:8.2, 2:12.5, 3:1 to 3:3.1, 3:5, 4:1, 4:2, 4:6, 5:2 to 5:5, 5:7 to 5:10, 5:15, 6:1, 6:2, 6:4 to 7:5, 7:13, 8:2 to 8:5, 9:2 to 9:4, 10:7, 10:10, 10:14, 12:2, 12:3, 12:6, 16:2, 17:1, 18:4, 18:11

Proximate cause, 1:4, 2:1 to 2:3, 2:5, 2:8.2, 2:12.5, 3:1 to 3:6, 3:9, 4:1, 4:2, 5:5, 5:6, 5:10, 6:1 to 7:2, 7:5, 7:13, 8:2 to 8:6, 9:2 to 9:5, 10:3 to 10:8, 10:12, 10:14, 10:15, 10:17 to 10:21, 10:25, 12:6, 13:5, 13:8, 14:7, 15:1 to 15:3, 16:1, 16:2, 17:5, 17:6, 17:8 to 17:10, 18:3, 19:12

Real property, 1:1, 1:3, 2:2, 2:4, 2:5, 2:8, 3:1, 3:3, 3:3.1, 4:1, 4:2, 4:4, 4:6, 5:3 to 5:5, 5:7, 5:9, 5:15, 6:1, 6:5, 7:13, 8:2, 8:5, 8:9, 9:3, 9:4, 12:2, 12:6, 13:4 to 13:8, 14:7, 17:10

Standard of care, 2:1 to 2:12.5, 3:1 to 3:3, 3:5, 4:1, 4:2, 4:4, 4:6, 5:2, 6:1, 7:2, 7:5, 7:6.1, 8:2, 8:4, 9:2 to 9:6, 10:2, 10:4, 10:6 to 10:8, 12:6, 13:5, 14:7, 16:1, 17:5, 17:10, 20:6

Theory of case, 2:3

### NEGLIGENT

#### MISREPRESENTATION

Accountants, 9:4

Comparative negligence, 2:5, 6:4

Damages, 1:1, 1:4, 2:3 to 2:5, 2:7, 2:8.2, 2:12.5, 3:3.1 to 5:4, 5:8, 5:10, 6:1, 6:4 to 7:5, 8:5, 8:10, 9:4, 10:4, 10:5, 10:7, 10:22, 16:2, 17:6, 21:8

Fiduciary duty, 1:1, 1:4, 2:3 to 2:5, 2:7, 2:8.2, 2:12.5, 3:3.1, 5:3, 5:4, 5:8, 5:10, 6:1, 6:3 to 6:5, 7:5, 8:5, 8:10, 9:4, 10:7, 16:2, 17:6

Fraud and deceit, 5:10

### NEGLIGENT

#### MISREPRESENTATION

##### —Cont'd

Punitive damages, 2:8.2, 6:1

Standard of care, 2:3 to 2:5, 2:7, 2:8.2, 2:12.5, 6:1, 7:5, 9:4, 10:4, 10:7

### NEGLIGENT SUPERVISION

Insurance, 2:5, 5:8, 6:4, 18:11

### NEGOTIATIONS

Insurance, 2:3, 2:8.2, 3:1, 3:3, 6:2, 6:4 to 7:5, 10:6, 10:25, 13:8, 19:2, 19:14

### NO-FAULT LAW

Arbitration, 3:1

Bus, 3:1

Causation, 3:1, 10:5

Child, 3:1

Death, 3:1, 10:5

Emotional distress, 10:5

Evidence, 3:1, 10:5

Exclusions, 10:5

Negligence, 3:1, 10:5

Personal injury, 3:1, 10:5

Proximate cause, 3:1, 10:5

Serious injury, 3:1, 10:5

Statute of limitations, 3:1, 10:5

Substantial factor, 3:1

### NOMINAL DAMAGES

Contracts, 4:1, 4:2

Defamation, 5:4

### NONFEASANCE

Negligence, 3:3

### NOTICE OF CLAIM

Insurance, 5:7, 10:6, 21:4

### NUISANCE

Comparative negligence, 2:5

Contributory negligence, 2:5

Health, 2:5

Intent, 2:5

Leased premises, 2:5

**NURSING HOMES**

Negligent misrepresentation, **6:5**

**OIL**

Products liability, **10:7**

**OIL SPILL**

Fraud, **10:7**

**OMISSIONS**

Fraud and deceit, **5:15**

**OPERATOR**

No-fault law, **3:1**

**OPINION**

Defamation, **2:12.5, 5:3, 7:5**

Fraud and deceit, **5:15**

**OPPORTUNITY**

Divorce, **2:3, 2:5, 2:8, 2:8.1, 3:1, 3:3, 3:3.1, 3:5, 3:9, 4:2, 5:3, 5:5, 5:7, 7:5, 8:5, 9:4, 10:6, 10:7, 19:14**

**OPTIONS**

Defined, **3:1**

**ORDINANCES**

Standard of care, **2:2**

**OUTRAGEOUS CONDUCT**

Emotional distress, **2:3, 2:5, 15:2, 20:5**

**OVERHEAD**

Contracts, **2:12.2**

**OWNERSHIP**

No-fault law, **3:1**

**PAIN AND SUFFERING**

Battery, **4:1, 14:7**

Damages, **4:1, 4:2, 8:6, 14:7**

Emotional distress, **4:2, 8:6**

Measure of damages, **4:1, 4:2**

Medical malpractice, **4:1, 14:7**

**PARKING**

Proximate cause, **3:3.1**

**PARKS**

Premises liability, **2:8.1, 3:1**

Sports, **3:1**

**PARTIES**

Abuse of process, **2:3, 4:2, 7:5, 7:6.1**

Assault and battery, **2:8.1, 4:1, 4:6, 9:3**

Conflict of laws, **5:3**

Defamation, **2:4, 2:12.5, 5:3 to 7:5, 7:13, 10:14, 20:4**

Defendants, **1:1, 1:3, 1:4, 2:1 to 2:5, 2:7 to 2:8.2, 2:12.2, 3:1 to 3:4, 4:2, 4:6, 5:2, 5:3, 5:5 to 5:9, 5:15, 6:1, 6:2, 6:4, 7:5, 7:6.1, 7:13, 8:3 to 8:6, 8:10, 9:3, 10:6, 10:7, 10:9, 13:8, 16:1, 17:6, 19:14**

Generally, **2:3, 5:7, 10:14, 18:2**

Plaintiffs, **1:1, 2:1, 2:3 to 2:5, 2:7 to 2:8.2, 2:12.2, 2:12.5, 3:1 to 3:4, 4:1, 4:2, 4:4, 5:2, 5:3, 5:5, 5:7 to 5:9, 6:1, 6:4, 8:3 to 8:6, 9:2 to 9:4, 10:6, 10:7, 12:2, 16:1**

**PARTNERSHIP**

Agreements, **1:1, 2:3, 2:5, 2:7, 3:1, 4:1, 5:5, 5:7, 7:5**

Attorney malpractice, **1:1, 2:1, 2:3, 2:5, 3:1, 3:3, 4:1, 5:4, 5:5, 5:7, 5:15, 6:1, 6:4, 9:4, 21:2**

Defamation, **5:4, 7:5**

Employment discrimination, **2:5, 3:1, 5:5, 9:4**

Fiduciary duty, **1:1, 1:4, 2:1, 2:3, 2:5, 2:7, 3:1, 3:3, 4:1, 5:4, 5:5, 5:7, 5:15, 6:1, 6:4, 7:5, 9:4, 17:9, 18:11, 19:2, 20:6**

Fire insurance, **2:5**

Limited partnership agreement, **5:4, 7:5**

Medical malpractice, **1:1, 2:7, 3:1, 3:3, 4:1, 5:5, 5:7, 7:5, 9:4, 18:11, 20:6**

Privacy, **18:11**

## INDEX

### **PATENTS**

Attorney malpractice, 3:1, 5:5, 17:5  
Infringement, 2:2, 17:5

### **PEACE OFFICER**

Battery, 16:1  
False arrest, 16:1

### **PERFORMANCE**

Contracts, 1:1, 2:3, 4:1 to 5:3, 6:2

### **PERSONAL INJURIES**

Damages, 2:3, 3:2, 4:1 to 5:3, 5:8,  
6:5, 7:2, 7:5, 12:2  
Emotional distress, 2:3, 4:2, 5:8, 7:5  
Leased premises, 2:3  
Negligent misrepresentation, 2:3,  
5:3, 5:8, 6:5, 7:5  
Police, 3:2, 4:1, 4:2, 6:5, 7:5

### **PERSONAL LIABILITY**

Attorneys, 2:8.1, 3:3, 6:1, 6:2, 8:4,  
19:13.1

### **PERSONAL USE**

Damages, 2:8.1

### **PHYSICAL CONTACT**

Emotional distress, 19:6

### **PHYSICIANS**

Battery, 16:1  
Employment discrimination, 3:2, 5:9  
Fiduciary duty, 3:2, 5:9, 10:6  
Insurance, 3:2, 3:8, 5:9, 10:6  
Medical malpractice, 3:2, 3:8, 5:9,  
10:6  
Plastic surgeon, 10:6

### **PLASTIC SURGEON**

Medical malpractice, 10:6

### **PLEA OF GUILTY**

Guilty plea, 16:1

### **PLEADINGS**

Affirmative defenses, 9:4  
Answers, 1:1, 2:8.1

### **PLEADINGS—Cont'd**

Attorney malpractice, 1:1, 2:3, 3:1,  
5:2 to 5:4, 5:6, 5:15, 8:3, 9:4  
Complaints, 2:3, 2:8.1, 5:3, 5:15, 9:4  
Conflict of laws, 5:3  
Declarations, 9:4  
Defamation, 5:3, 5:4, 10:14  
Fraud and deceit, 5:15  
Generally, 2:3, 10:14  
Insurance, 1:1, 2:3, 2:7, 2:8.1, 3:1,  
3:3.1, 5:2, 5:3, 5:15, 10:6,  
10:15, 10:17, 15:3, 21:5  
Petitions, 1:1, 8:9  
Punitive damages, 8:6  
Theory of case, 2:3

### **POLICE**

Battery, 2:8.1, 4:1, 5:13  
Comparative negligence, 2:5  
Defamation, 2:12.5, 7:5, 7:13  
False statements to, 2:8.1, 10:6  
Premises liability, 2:8.1, 7:5, 15:2  
Spouse, 4:1, 6:5  
Suicide, 2:5, 4:2

### **POSSESSION**

Vehicle, 2:2, 2:3, 2:8.1, 3:1, 8:5, 9:4,  
10:15

### **POSSIBILITY**

Foreseeability, 3:1, 6:1, 6:2

### **POWER OF ATTORNEY**

Contracts, 1:1, 1:4, 5:3

### **PREGNANCY**

Employment discrimination, 9:4  
Medical malpractice, 9:4, 14:7

### **PREJUDGMENT INTEREST**

Attorney malpractice, 2:8.2, 5:3, 5:6,  
5:7  
Contracts, 5:3  
Employment contract, 2:8.2  
Fiduciary duty, 2:8.2, 5:3, 5:6, 5:7

### **PREJUDICE**

Defamation, 7:5

**PREJUDICE—Cont'd**

Insurance, 1:1, 1:3, 2:3, 2:5, 2:8.1, 3:1, 4:2, 5:2, 7:5, 7:7, 19:14

**PREMISES LIABILITY**

Assault, 2:8.1  
Baseball, 3:1  
Beach, 3:1  
Burden of proof, 3:1  
Children, 2:8.1, 3:1  
Cleaning, 3:1  
Construction, 3:1, 7:5  
Control, 2:8.1, 3:1  
Damages, 2:8.1, 3:1, 7:5, 8:2, 10:5, 10:20  
Entry, 2:8.1, 3:1, 7:5  
Fees, 2:8.1, 3:1, 7:5, 8:2  
Fire, 3:1, 8:2, 15:2  
Floor, 3:1, 10:20  
Foreseeability, 3:1  
Insurance, 2:8.1, 3:1, 7:5, 10:5  
Investigation, 2:8.1, 7:5  
Leased premises, 3:1  
Ownership, 3:1  
Parks, 2:8.1, 3:1  
Police, 2:8.1, 7:5, 15:2  
Prima facie case, 3:1, 10:5, 10:20  
Proximate cause, 3:1, 7:5, 8:2, 10:5, 10:20, 15:2  
Respondent superior, 15:2  
Sports, 3:1  
Standard of care, 2:8.1, 3:1, 7:5, 8:2  
Statute of limitations, 2:8.1, 3:1, 7:5, 10:5  
Substantial factor, 3:1  
Supermarket, 3:1  
Traffic, 3:1

**PREMIUMS**

Insurance, 10:17, 13:3

**PREPONDERANCE OF EVIDENCE**

Divorce, 3:3.1, 3:5  
Insurance, 3:3.1, 3:5  
Proximate cause, 3:3.1, 3:5

**PRETEXT**

Employment discrimination, 9:3, 9:4

**PRICE**

Contracts, 1:1, 4:2

**PRIMA FACIE CASE**

Battery, 4:1, 9:3, 16:1  
Children, 2:3, 3:1, 4:1, 4:2, 9:4, 16:1  
Circumstantial evidence, 3:2  
Contract, breach of, 2:3, 2:5, 9:4  
Damages, 2:3, 2:5, 2:8.2, 3:1 to 3:3, 3:5, 4:1 to 10:5, 10:20, 16:1  
Defamation, 10:5  
Definition, 2:3, 3:2  
Disinterested malevolence. new york doctrine., 2:3, 2:5, 3:1 to 3:3, 3:5, 3:8, 4:1 to 10:5, 16:1  
Employment discrimination, 2:5, 3:1 to 10:5, 10:20  
Generally, 2:3  
Intent, 2:3, 2:5, 9:4, 10:5  
Justification, 4:1  
Malicious prosecution, 16:1  
Medical malpractice, 3:1 to 3:3, 3:6, 3:8, 4:1, 9:4, 10:5  
No-fault law, 3:1, 10:5  
Premises liability, 3:1, 10:5, 10:20  
Products liability, 3:1  
Professional services rendered, 3:1  
Warranties, 3:1

**PRINCIPALS**

Conversion, 3:3  
Indemnity, 3:3

**PRIVACY**

Bankruptcy, 18:11  
Damages, 10:5  
Emotional distress, 10:5  
False light, 10:5  
Misrepresentation, 10:5  
Mistake, 10:5, 18:11  
Negligence, 10:5, 18:11  
Partnership, 18:11  
Third parties, 18:11

## INDEX

### **PRIVILEGED**

#### **COMMUNICATIONS**

Divorce, **19:14**

Insurance, **19:14**

### **PRIVITY**

Attorney malpractice, **1:1, 2:3, 3:1, 6:1, 6:2, 6:4, 6:5, 8:3**

Insurance, **1:1, 1:4, 2:3, 3:1, 6:1, 6:2, 6:4 to 7:5**

Negligent misrepresentation, **1:1, 1:4, 2:3, 6:1, 6:3 to 6:5, 7:5, 8:10, 17:6**

Products liability, **3:1**

### **PROBABILITY**

Foreseeability, **6:1**

Proximate cause, **3:3 to 3:5, 4:2, 6:1, 8:4, 10:6**

### **PROBABLE CAUSE**

Abuse of process, **20:1, 20:2**

Assault, **2:8.1, 16:1**

Establishing, **2:8.1, 3:1, 3:3, 3:5, 16:1**

Malicious prosecution, **16:1, 20:1 to 20:3, 20:5**

### **PROBATE**

Insurance, **1:4, 2:1, 2:8.1, 3:1 to 3:3, 5:3, 5:5, 5:7, 6:1, 6:5, 7:1.1**

### **PROBATION**

Malicious prosecution, **16:1**

### **PROCESS**

Generally, **2:3**

### **PRODUCTS LIABILITY**

Abnormal use. misuse, abuse or abnormal use,, **3:1, 10:6, 10:7**

Abuse. misuse, abuse or abnormal use,, **3:1, 10:6, 10:7**

Advertising, **10:6**

Agricultural machinery and equipment. farm and agricultural machinery and equipment,, **3:1, 10:6, 10:7**

### **PRODUCTS LIABILITY—Cont'd**

Ammunition. firearms, other weapons and ammunition,, **3:1, 10:6, 10:7**

Athletic equipment. toys, games and recreation and athletic equipment and supplies,, **3:1, 10:6, 10:7**

Bailors. lessors or bailors of personal property,, **3:1, 10:6, 10:7**

Baseball, **3:1**

Beverages. food and beverages,, **3:1, 10:6, 10:7**

Bottles. glass bottles and jars,, **3:1, 10:6, 10:7**

Buildings. houses, buildings and other structures,, **3:1, 10:6, 10:7**

Burden of proof, **3:1**

Causation, **2:7, 3:1, 8:5, 10:6**

Concealment, **2:7, 5:15, 10:7**

Contribution, **2:7, 8:5, 10:7**

Crashworthiness. enhanced injuries, second accidents or collisions and crashworthiness,, **3:1, 10:6, 10:7**

Damages, **2:7, 3:1, 5:15, 8:5, 10:6, 10:7, 19:14**

Discovery, **2:7, 3:1, 5:15**

Equipment, **3:1**

Evidence, **2:7, 3:1, 5:15, 10:6, 10:7, 19:14**

Fertilizers. pesticides and fertilizers,, **3:1, 10:6, 10:7**

Foreseeability, **3:1**

Fraud and deceit, **5:15**

Games. toys, games and recreation and athletic equipment and supplies,, **3:1, 10:6, 10:7**

Health care. medical and health care equipment and supplies,, **3:1, 10:6, 10:7**

Implied warranties. warranty, breach of,, **3:1, 10:6, 10:7**

Instructions. warnings and instructions for use,, **3:1, 10:6, 10:7**

**PRODUCTS LIABILITY—Cont'd**

Intervening causes, 3:1  
 Knowledge, 2:7, 3:1, 5:15, 8:5, 10:6  
 Medical malpractice, 2:7, 3:1, 8:5, 10:6, 10:7, 19:14  
 Negligence, 2:7, 3:1, 5:15, 8:5, 10:6, 10:7  
 Power tools. tools and power tools., 3:1, 10:6, 10:7  
 Prima facie case, 3:1  
 Privity, 3:1  
 Proximate cause, 3:1, 8:5, 10:6, 10:7  
 Recreation equipment. toys, games and recreation and athletic equipment and supplies., 3:1, 10:6, 10:7  
 Repair, 3:1  
 Sale, 2:7, 3:1, 5:15, 8:5, 10:6, 10:7, 19:14  
 Scope of, 2:7, 3:1, 5:15, 10:6  
 Statute of limitations, 2:7, 3:1, 5:15, 8:5  
 Statutes, 3:1  
 Substantial factor, 3:1, 8:5  
 Theories, 2:7  
 Time, 2:7, 3:1, 5:15, 8:5, 10:6, 10:7, 19:14  
 Vehicles, 19:14  
 Warranties, 3:1

**PROFESSION**

Defamation, 2:12.5, 7:13, 10:5

**PROFESSIONAL MISCONDUCT**

Good faith and fair dealing, 2:3

**PROFESSIONAL NEGLIGENCE**

Generally, 2:3, 5:7, 10:14

**PROFESSIONALS**

Services rendered, 9:3, 19:14

**PROFITS**

Burden of proof, 7:13  
 Personal injury, 2:3, 2:12.5, 3:3, 4:1, 4:2, 7:5, 8:2, 8:6, 9:2 to 9:4, 10:7

**PROFITS—Cont'd**

Wrongful death, 2:3, 3:3, 4:1, 4:2, 8:6, 9:4, 12:6

**PROMISSORY NOTE**

Interest, 2:3, 2:7, 3:3 to 5:2, 5:5, 7:13, 9:4, 17:9, 18:11  
 Services rendered, 5:2, 5:5  
 Statute of limitations, 2:3, 2:7, 3:3 to 5:2, 5:5, 9:4, 18:11

**PROPERTY**

Civil rights, 2:3, 3:1, 3:5, 5:3, 5:15, 7:5, 8:4, 9:2, 9:4  
 Defamation, 2:4, 2:12.5, 5:3 to 7:5, 7:13

**PROPERTY DAMAGE**

Interest, 1:3, 3:3.1, 7:13, 9:4  
 Market value, 9:4

**PROPERTY MANAGEMENT**

Guardian, 3:1  
 Premises liability, 3:1

**PROXIMATE CAUSE**

Attorney malpractice, 2:1, 2:3, 2:5, 2:8.2, 3:1 to 3:3, 3:5, 3:6, 4:1, 4:2, 5:5, 5:6, 6:1 to 8:3, 9:2 to 9:4, 13:8, 17:5  
 Burden of proof, 2:1, 3:1 to 3:3.1, 3:6, 3:8, 7:13, 10:18  
 But for test, 3:3  
 Cause in fact, 3:1 to 3:3, 3:5, 7:13, 16:2  
 Checks, 8:4, 10:20  
 Children, 1:4, 2:3, 3:1, 3:4, 4:1 to 6:2, 8:4, 8:6, 9:4, 12:6, 14:7, 16:1, 18:7  
 Comparative negligence, 2:5  
 Contracts, 1:4, 2:3, 4:1 to 6:2, 17:8, 17:9  
 Contributory negligence, 2:5, 7:2  
 Criminal acts, 16:1  
 Crossing street, 3:3  
 Damages, 1:4, 2:1 to 2:3, 2:5, 2:8.2, 2:12.5, 3:1 to 3:5, 3:9, 4:1, 4:2,

## INDEX

### PROXIMATE CAUSE—Cont'd

5:5, 5:6, 5:10, 6:1 to 7:2, 7:5,  
7:13, 8:2, 8:4 to 8:6, 9:2 to 9:5,  
10:3 to 10:8, 10:12, 10:15,  
10:17, 10:18, 10:20, 10:25,  
12:6, 13:5, 13:8, 14:7, 15:1,  
15:3, 16:1, 16:2, 17:5, 17:6,  
17:8, 17:9, 18:3, 19:12  
Defamation, 2:12.5, 7:5, 7:13, 10:5,  
10:14  
Evidence of causation, 3:1, 3:2, 3:5,  
9:3  
Factual issue, 2:1, 2:3, 3:1, 3:2  
Fire, 1:4, 2:5, 3:1, 4:1, 4:2, 5:5, 6:1,  
8:2, 8:5 to 10:6, 15:2, 15:3  
Foreseeability, 3:1, 6:1, 6:2  
Fraud and deceit, 5:10  
General instruction, 10:19  
Generally, 2:3, 10:14  
Guidelines, 4:2, 16:1  
Insurance, 1:4, 2:1 to 2:3, 2:5, 2:8.2,  
2:12.5, 3:1 to 3:5, 3:8, 4:1, 4:2,  
5:5, 6:1, 6:2, 7:5, 7:13, 9:2,  
10:5, 10:6, 10:8, 10:15, 10:17,  
10:25, 13:8, 14:7, 15:3, 17:10  
Intentional torts, 2:5, 5:5, 6:1  
Intervening causes, 3:1, 3:3.1  
Maintain property, 3:1  
Medical malpractice, 3:1 to 3:3, 3:6,  
3:8, 3:9, 4:1, 5:5, 5:10, 7:5,  
7:13, 8:4, 8:5, 9:2, 9:4, 10:5 to  
10:7, 10:25, 12:6, 14:7, 15:1,  
19:12  
More than one proximate cause, 3:1  
Negligence, 1:4, 2:1 to 2:3, 2:5,  
2:8.2, 2:12.5, 3:1 to 3:6, 3:9,  
4:1, 4:2, 5:5, 5:6, 5:10, 6:1 to  
7:2, 7:5, 7:13, 8:2 to 8:6, 9:2 to  
9:5, 10:3 to 10:8, 10:12, 10:14,  
10:15, 10:17 to 10:21, 10:25,  
12:6, 13:5, 13:8, 14:7, 15:1 to  
15:3, 16:1, 16:2, 17:5, 17:6,  
17:8 to 17:10, 18:3, 19:12  
Negligence principles, 2:3, 2:5  
Negligent misrepresentation, 1:4,  
2:3, 2:5, 2:8.2, 2:12.5, 3:3.1,

### PROXIMATE CAUSE—Cont'd

3:4, 5:10, 6:1, 6:3, 7:5, 8:5, 9:4,  
10:4, 10:5, 10:7, 16:2, 17:6  
No-fault law, 3:1, 10:5  
Parks, 2:5, 2:8.2, 3:1, 4:2, 9:3, 9:4  
Plumbing, 2:3, 2:5, 3:1, 4:1, 4:2, 9:4,  
10:5  
Police, 1:4, 2:5, 2:12.5, 3:2, 3:3, 3:5,  
4:1 to 6:1, 7:5, 7:13, 10:6, 15:2,  
15:3  
Policy considerations, 2:1, 5:6, 6:3,  
7:13  
Premises liability, 3:1, 7:5, 8:2, 10:5,  
10:20, 15:2  
Preponderance of evidence, 3:3.1,  
3:5  
Products liability, 3:1, 8:5, 10:6, 10:7  
Rape, 6:2, 9:5, 16:1  
Security measures, 2:8.2, 4:2  
Substantial factor, 1:4, 2:3, 2:8.2,  
3:1, 3:3, 3:5, 7:13, 8:5, 13:8,  
18:3  
Substantial factor test, 2:3  
Suicide, 2:5, 4:2  
Supervision, 2:5, 2:12.5, 4:2, 6:2,  
8:5, 8:6, 9:4, 10:3, 10:4  
Testing, 2:2, 2:3, 3:1, 9:4  
Traffic, 3:1  
Unlawful acts, 16:1  
Verdict sheet, 4:2

### PUBLIC

Punitive damages, 4:2, 4:6, 6:1, 8:6

### PUBLIC DEFENDER

Generally, 5:7

### PUBLIC EMPLOYEES

Employment contract, 7:13

### PUNISHMENT

Punitive damages, 4:2, 4:6

### PUNITIVE DAMAGES

Abuse of process, 4:2  
Accident, 4:1, 4:2

**PUNITIVE DAMAGES—Cont'd**

Amount, 2:8.2, 4:1, 4:2, 4:6, 8:6, 9:3, 10:26, 15:1  
 Assault, 4:1, 4:6, 9:3  
 Attorney malpractice, 2:8.2, 4:1 to 6:1, 9:3  
 Bankruptcy, 4:1, 4:2, 4:6, 6:1, 8:6, 9:3  
 Battery, 4:1, 4:6, 9:3  
 Children, 4:1 to 6:1, 8:6  
 Compensatory damages, 2:8.2, 4:2, 4:6, 15:1  
 Concealment, 6:1, 8:6  
 Constitutional limitations, 4:6  
 Contracts, 4:1, 4:2  
 Conversion, 4:2  
 Corporations, 6:1  
 Discrimination, 4:6, 9:3  
 Emotional distress, 2:8.2, 4:2, 4:6, 8:6  
 Employment discrimination, 4:6, 9:3  
 Equity, 4:1, 4:2, 8:6  
 Evidence, 2:8.2, 4:1, 4:2, 4:6, 6:1, 9:3, 10:26, 15:1  
 Fiduciary duty, 2:8.2, 4:1, 4:2, 4:6, 6:1, 8:6, 9:3  
 Gross negligence, 2:8.2, 4:6  
 History, 4:2  
 Insurance, 2:8.2, 4:1 to 6:1  
 Malice, 4:2, 4:6, 6:1  
 Malicious prosecution, 8:6  
 Medical malpractice, 4:1, 15:1  
 Moral turpitude, 4:6  
 Negligent misrepresentation, 2:8.2, 6:1  
 Pleading, 8:6  
 Purposes, 2:8.2, 4:1 to 6:1, 9:3, 15:1  
 Recklessness, 4:6, 6:1  
 Spouse, 4:1  
 Standard of proof, 4:6  
 Trade secrets, 8:6  
 Treble damages, 4:2, 8:6  
 Wrongful death, 4:1, 4:2, 8:6

**PURPOSE**

General principles, 1:1, 2:8.2, 3:1, 5:2, 9:2, 19:2  
 Generally, 2:3

**QUALIFICATIONS**

Employment discrimination, 5:9

**QUANTUM MERUIT**

Burden of proof, 3:1  
 Consequential damages, 4:2, 4:4  
 Damages, 1:1, 1:3, 2:12.2, 3:1, 4:2, 4:4  
 Fraud, 1:1, 1:3, 3:1, 4:2, 4:4  
 Requirements, 1:1, 1:3, 3:1  
 Services rendered, 1:3, 2:12.2, 3:1  
 Statute of limitations, 1:3, 3:1, 4:2, 4:4

**QUASI-JUDICIAL**

Defamation, 7:13, 20:4  
 Malicious prosecution, 20:4

**RAPE**

Battery, 16:1  
 Proximate cause, 6:2, 9:5, 16:1  
 School, 1:1, 6:2, 9:5, 16:1

**REAL ESTATE AGENT**

Independent contractor, 9:3

**REAL PROPERTY**

Interference with contractual relations, 3:1  
 Legal malpractice, 1:1, 1:3, 2:2, 2:4, 2:5, 2:8, 3:1, 3:3, 3:3.1, 4:1, 4:2, 4:4, 4:6, 5:3 to 5:5, 5:7, 5:9, 5:15, 6:1, 6:5, 7:1, 7:13, 8:2, 8:5, 8:9, 8:10, 9:3, 9:4, 12:2, 12:6, 13:2, 13:4 to 13:8, 14:7, 17:10, 18:2, 19:5, 21:5, 21:6  
 Premises liability, 3:1, 8:2  
 Statute of frauds, 5:9, 7:13  
 Title insurance, 3:1, 5:3, 5:7, 13:8  
 Use, 1:1, 2:2, 2:4, 2:5, 2:8, 3:1, 3:3.1, 4:1 to 5:3, 5:5, 5:7, 5:15,

INDEX

**REAL PROPERTY—Cont'd**

6:5, 8:2, 9:3, 9:4, 12:2, 12:6,  
13:3, 13:8, 21:6

**REASONABLENESS**

Generally, 2:3

**RECKLESS DISREGARD**

Recklessness, 2:7

**RECKLESSNESS**

Battery, 4:6  
Conversion, 2:7  
Emotional distress, 4:6  
Employment discrimination, 4:6  
Insurance, 2:7, 6:1  
Punitive damages, 4:6, 6:1

**RECORDS**

Insurance, 1:1, 1:3, 2:1, 2:5, 2:8.1,  
2:8.2, 3:3, 4:1, 5:8, 5:15, 7:1.1,  
14:3, 19:14, 21:5  
Medical records, 2:8.1, 4:1, 5:8, 5:15  
Public records, 1:1, 17:1

**REGULATIONS**

Contributory negligence, 2:5, 2:8.1  
Rules and regulations, 2:8.1, 10:6

**REINSTATEMENT**

Insurance, 1:1, 2:8.1, 9:2

**RELEASE**

Consideration, 2:3, 3:1, 4:2, 6:1,  
7:13, 16:1  
Contracts, 2:3, 4:2  
Damages, 2:3, 2:4, 2:7, 2:8.2, 2:12.5,  
3:1, 4:2, 5:5 to 5:7, 6:1, 7:5,  
7:7, 7:13, 8:5, 10:6 to 12:6,  
16:1 to 21:3  
Fiduciary duty, 2:3, 2:4, 2:7, 2:8.2,  
2:12.5, 3:1, 4:2, 5:5 to 5:7, 6:1,  
7:5, 7:13, 8:5, 10:6 to 12:6,  
16:2  
Fraud, 2:3, 2:7, 2:8.2, 3:1, 4:2, 5:5 to  
5:7, 6:1, 7:5, 7:13, 10:6 to 12:6,  
16:1 to 21:3

**RELEASE—Cont'd**

Insurance, 2:3, 2:7, 2:8.2, 2:12.5,  
3:1, 4:2, 5:5, 5:7, 6:1, 7:5, 7:7,  
7:13, 10:6, 17:10, 21:3  
Setting aside, 3:1, 5:5  
Waiver, 2:12.5, 3:1, 4:2, 7:5, 7:7,  
7:13, 16:1

**RELIANCE**

Contracts, 1:1, 1:4  
Defamation, 2:12.5, 5:4, 7:5  
Employment contract, 2:8.2, 2:12.5,  
5:5, 7:5  
Equitable estoppel, 7:5  
Fiduciary duty, 1:1, 1:3 to 2:5, 2:7,  
2:8.2, 2:12.5, 3:1, 3:3 to 5:5,  
5:7, 5:9, 6:4, 7:5, 8:2, 12:6  
Fraud, 1:1, 1:3 to 2:5, 2:7, 2:8.2, 3:1,  
3:3 to 5:5, 5:7, 5:9, 6:4, 7:5,  
7:11, 8:2, 12:6, 16:1  
Insurance, 1:1, 1:3 to 2:5, 2:7 to 2:9,  
2:12.5, 3:1, 3:3, 3:3.1, 5:5, 5:7,  
5:9, 6:4, 7:5, 7:8  
Medical malpractice, 1:1, 2:7, 3:1,  
3:3, 5:5, 5:7, 5:9, 7:5, 12:6  
Negligent misrepresentation, 1:1,  
1:4, 2:5, 2:7, 2:8.2, 2:12.5,  
3:3.1, 5:4, 6:4, 7:5  
Police, 1:1, 1:4, 2:5, 2:12.5, 3:3, 7:5

**REMOTENESS**

Damages, 2:8.1

**REMOVAL PROCEEDINGS**

Defamation, 2:12.5

**RENEWAL**

Insurance, 5:8, 21:4, 21:5

**REPLACEMENT COST**

Insurance, 4:2

**REPLEVIN**

Damages, 5:5, 5:8  
Malicious prosecution, 5:5  
Proceedings, 5:5, 5:8  
Statute of limitations, 5:5, 5:8

**REPLY**

Defamation, **10:14**  
Generally, **2:3, 10:14**

**REPRESENTATIONS**

Fraud and deceit, **5:10, 5:15**  
Negligent misrepresentation, **1:1, 2:5, 2:7, 5:10, 6:3 to 6:5, 7:5, 8:5, 8:10**  
Warranties, **3:1**

**REPUTATION**

Character or reputation, **2:8.1**

**RES JUDICATA**

Defenses, **7:5**  
Emotional distress, **7:5**  
Guilty plea, **7:5**  
Malicious prosecution, **20:1**  
Medical malpractice, **7:5, 12:6**  
Professional services, **7:5**

**RESCISSION**

Insurance, **2:3, 3:1 to 3:3, 7:5**

**RESCUE**

Foreseeability, **6:5**

**RESEARCH**

Defamation, **7:13**  
Emotional distress, **2:2 to 3:3, 4:6, 7:6.1, 20:5**  
Jurors, **9:4, 16:1**

**RESERVATION OF RIGHTS**

Insurance, **2:8.1, 2:12.5, 19:5, 19:14**

**RESIDENCE**

Guardian, **4:2, 5:5**

**RESPONDEAT SUPERIOR**

Premises liability, **15:2**

**RETALIATION**

Abuse of process, **2:3**  
Defamation, **10:5**  
Employment discrimination, **2:5, 3:1, 10:5**

**RETROACTIVITY**

Generally, **2:3**

**ROBBERY**

Battery, **16:1**

**SAFETY**

Guardian, **3:2**  
Punitive damages, **6:1**

**SALES**

Consequential damages, **2:4, 4:2**  
Statute of limitations, **2:3, 2:12.5, 4:2, 8:6, 9:3**

**SANCTIONS**

Damages, **2:3, 2:5, 2:8.1, 2:12.2, 3:3, 4:2, 4:4, 4:6, 5:3, 6:1, 8:6, 9:3, 15:5, 16:1, 20:2, 20:6, 21:6**

**SCOPE OF EMPLOYMENT**

Defamation, **20:7**  
Malicious prosecution, **20:7**

**SECURITIES**

Causation, **1:4, 2:2, 2:3, 2:5, 2:8.2, 3:3, 3:5, 4:2, 8:5, 10:6, 17:9**  
Damages, **1:1, 1:4, 2:2, 2:3, 2:5, 2:8.2, 3:3, 3:5, 4:2, 4:5, 4:6, 5:3, 5:7, 5:9, 5:15, 6:2, 8:4 to 10:6, 17:9, 19:14**  
Defenses, **2:2 to 3:3, 3:5, 5:9**  
Duty to disclose, **1:1, 1:4, 2:2, 6:2**  
Fiduciary duty, **1:1, 1:4, 2:3, 2:5, 2:8.2, 3:3, 3:5, 4:2, 4:6, 5:3, 5:7, 5:9, 5:15, 6:2, 8:4 to 10:6, 17:9, 19:14**  
Generally, **2:3, 5:7**  
Pleadings, **1:1, 2:3, 5:3, 5:15, 8:4 to 10:6**  
Purchase and sale, **5:9**  
Reliance, **1:1, 1:4, 2:5, 2:8.2, 3:3, 5:7, 5:9, 11:3**  
Securities act of 1933, **11:1, 11:2**

**SECURITIES AND EXCHANGE COMMISSION**

Negligent misrepresentation, **1:1, 1:4, 2:3, 2:5, 8:5**

## INDEX

### SECURITY

- Battery, 2:8.1, 16:1
- False imprisonment, 3:1, 5:5, 16:1
- Insurance, 2:3, 2:5, 2:7 to 2:8.2, 2:12.5, 3:1, 3:3.1, 4:2, 5:3, 5:5, 5:8, 5:15, 6:1, 6:2, 6:5, 13:8, 18:11
- Legal malpractice, 1:2, 2:3, 2:5, 2:7 to 2:8.2, 2:12, 2:12.5, 3:1, 3:3.1, 4:2, 5:3, 5:5, 5:8, 5:15, 6:1 to 6:3, 6:5, 9:4, 12:6, 13:7, 13:8, 16:1, 17:6, 17:9, 18:11
- Premises liability, 2:8.1, 3:1
- Third parties, 1:2, 2:8.1, 3:1, 6:1 to 6:3, 6:5, 12:6, 17:6, 18:11

### SEPARATION

- Divorce, 2:8.1, 2:12.5, 3:1, 3:3 to 4:2, 4:6, 5:5
- Ratification, 3:1
- Rescission, 3:1, 3:3

### SERIOUS INJURY

- No-fault law, 3:1, 10:5

### SERVICE OF PROCESS

- Attorney malpractice, 3:3
- Battery, 5:13
- Insurance, 3:3

### SERVICES

- Accountants, 5:5, 9:4, 10:26
- Services rendered, 1:3, 2:8.1, 2:12.2, 3:1, 5:2, 5:4, 5:5, 6:2, 6:5, 7:5, 9:3, 13:8, 19:14
- Wrongful death, 1:1, 2:3, 2:5, 2:7 to 2:8.1, 2:12.2, 3:1, 3:3, 3:8, 4:1 to 5:3, 5:6, 5:9, 5:10, 6:2, 6:5, 8:4, 8:6, 8:9, 9:4, 9:5, 12:2, 12:6, 19:14

### SERVICES RENDERED

- Medical malpractice, 2:8.1, 2:12.2, 3:1, 5:5, 7:5, 19:14
- Warranties, 3:1

### SETTLEMENT

- Abuse of process, 2:3, 4:2, 7:5, 7:6.1, 14:3, 20:1, 20:2
- Attorney malpractice, 1:1, 2:3, 2:5, 2:8.2, 3:1 to 3:3, 3:5, 3:6, 4:1 to 5:7, 5:9, 5:15, 6:1, 6:2, 6:4, 6:5, 8:3, 9:3 to 17:5
- Comparative negligence, 2:5, 6:4
- Consideration, 1:1 to 2:3, 2:5, 2:8.1, 3:1 to 3:3, 4:1 to 5:2, 6:1, 6:4, 6:5, 7:13, 9:4, 17:7, 19:14
- Contracts, 1:1, 1:4, 2:3, 2:8.1, 4:1 to 5:3, 6:2, 17:8
- Defamation, 2:4, 2:12.5, 5:3 to 7:5, 7:13, 10:5, 20:4
- Divorce action, 2:2, 2:5, 2:8, 3:1, 3:3, 3:3.1, 3:5, 4:1 to 5:3, 5:5, 5:8, 6:1, 7:5, 7:7, 8:5, 8:6, 8:10, 9:3, 9:4, 10:6, 10:21, 10:25, 14:2, 14:3, 14:7
- Emotional distress, 2:2, 2:3, 2:5, 2:8.2, 3:3 to 4:2, 5:2, 5:4, 5:8, 7:5 to 8:6, 10:5, 19:12
- High-low agreement, 6:5, 10:6
- Insurance, 1:1, 1:3, 1:4, 2:2, 2:3, 2:5, 2:7 to 2:8.2, 2:12.5, 3:1 to 3:3.1, 3:5, 4:1, 4:2, 4:4, 5:2, 5:3, 5:5, 5:7 to 5:9, 5:15, 6:1, 6:2, 6:4 to 7:5, 7:7, 7:8, 7:13, 10:5, 10:6, 10:8, 10:15, 10:25, 14:3, 14:7, 17:10, 18:2, 18:4, 19:2, 19:5, 19:10, 19:14, 21:4, 21:8
- Malicious prosecution, 5:4 to 8:6, 20:1, 20:2, 20:4
- Mitigation of damages, 2:5
- Stipulation, 1:4, 2:3, 2:5, 2:8.1, 2:8.2, 3:3, 4:1, 4:2, 4:4, 5:9, 7:6.1, 8:5 to 10:6, 14:2, 19:14, 20:2

### SEX

- Assault, 16:1
- Battery, 16:1
- Defamation, 7:5
- Divorce, 7:5

**SEX—Cont'd**

Emotional distress, 7:5, 16:2  
 Insurance, 7:5, 20:6  
 Medical malpractice, 7:5, 20:6  
 Rape, 16:1  
 School, 7:5, 16:1

**SHERIFF**

Abuse of process, 4:2  
 County, 2:5, 3:1, 3:3, 4:2, 5:3, 9:4,  
 16:1  
 Defamation, 5:3

**SIBLINGS**

Immunity, 2:3

**SILENCE**

Insurance, 5:2, 7:5

**SKILL**

Independent contractor, 9:3, 9:4  
 Profits, 2:3, 2:12.5, 3:3, 7:13, 8:2,  
 8:6, 9:2 to 9:4, 12:6, 17:5

**SLANDER OF TITLE**

Damages, 3:1  
 Elements, 3:1  
 Nature, 3:1  
 Statute of limitations, 3:1

**SNOW AND ICE**

Notice, 10:5  
 Premises liability, 10:5

**SOCIAL SECURITY**

Employment discrimination, 2:5

**SOIL**

Conversion, 3:1

**SPITE**

Defamation, 20:7  
 Malicious prosecution, 20:2, 20:7

**SPORTS**

Expert testimony, 9:2  
 Parks, 3:1  
 Premises liability, 3:1

**STALKING**

Harassment, 2:3

**STANDARD OF CARE**

Accountant malpractice, 2:7  
 Attorney malpractice, 2:1, 2:3, 2:5,  
 2:8.2, 3:1 to 3:3, 3:5, 4:1 to 5:2,  
 6:1, 9:2 to 9:4, 17:5  
 Community standard, 9:2  
 Comparative negligence, 2:5  
 Disability, 2:2, 2:5, 2:7, 2:8.1, 3:3,  
 8:2, 10:6  
 Duty, 2:1 to 2:12.5, 3:1 to 3:3, 3:5,  
 4:1, 4:2, 4:4, 4:6, 5:2, 6:1, 7:5,  
 7:6.1, 8:2, 8:4, 9:2 to 9:6, 10:2,  
 10:4, 10:6 to 12:6, 14:7, 16:1,  
 17:5, 17:10, 19:2, 20:6  
 Emergency, 12:6  
 Insurance, 2:1 to 2:3, 2:5, 2:7 to 2:9,  
 2:11, 2:12.5, 3:1 to 3:3, 3:5,  
 3:8, 4:1, 4:2, 4:4, 5:2, 6:1, 7:5,  
 9:2, 10:6, 10:8, 14:7, 17:10,  
 19:2, 20:6  
 Medical malpractice, 2:7, 2:8.1,  
 2:12.2, 3:1 to 3:3, 3:8, 4:1, 7:5,  
 8:4, 9:2, 9:4, 10:6 to 12:6, 14:7,  
 20:6  
 Negligent misrepresentation, 2:3 to  
 2:5, 2:7, 2:8.2, 2:12.5, 6:1, 7:5,  
 9:4, 10:4, 10:7  
 Premises liability, 2:8.1, 3:1, 7:5, 8:2

**STANDARD OF CONDUCT**

Generally, 2:3

**STANDARD OF PROOF**

Burden of proof, 3:2, 4:6

**STANDING**

Trespass, 3:1

**STATE**

Defamation, 2:4, 2:12.5, 5:3 to 7:5,  
 7:13, 10:5  
 Tort claims act, 2:1, 2:8, 3:2, 5:6,  
 7:13, 10:5, 16:1, 16:2

## INDEX

### STATEMENTS

Admissions, 2:1, 2:8.1, 7:5, 8:4,  
19:14

### STATUTE OF FRAUDS

Check, 7:13  
Consideration, 7:13  
Employment contract, 7:13  
Insurance, 5:9, 7:13

### STATUTE OF LIMITATION

Construction, 1:3, 2:3, 5:2, 5:3, 5:5,  
5:7, 5:15  
Counterclaims, 2:3, 5:3, 9:4  
Estoppel, 2:3, 5:2, 5:5, 5:10, 5:15  
Generally, 2:3, 5:7  
Governing law, 2:3, 2:8.1  
Intentional torts, 5:5  
Products liability, 5:15, 10:6  
Purpose, 2:3, 2:8.1, 5:2, 5:3, 5:5,  
5:6, 5:15  
Retroactivity, 2:3  
Tolling of statute, 5:5  
Waiver, 1:3

### STATUTE OF LIMITATIONS

Abuse of process, 2:3, 4:2, 7:5, 7:6.1  
Account stated, 3:3, 5:2, 5:3  
Accountant malpractice, 2:7, 5:9  
Assault, 1:4, 2:5, 2:8.1, 4:1, 4:6, 9:3  
Attorney malpractice, 2:3, 2:5, 2:8.2,  
3:1, 3:3, 4:1 to 5:7, 5:9, 5:15,  
6:1, 6:5, 9:2 to 9:4  
Battery, 2:8.1, 4:1, 4:6, 5:13, 9:3  
Constructive fraud, 2:7, 2:8.2, 5:3,  
5:4, 5:10  
Constructive trust, 7:5  
Continuous representation, 1:3, 5:2  
to 5:9, 5:13, 5:15, 8:5  
Contracts, 1:4, 2:3, 2:8.1, 4:1 to 5:3  
Contribution and indemnity, 5:3  
Defamation, 2:12.5, 5:3 to 7:5, 10:5  
Divorce, 2:2, 2:3, 2:5, 2:8.1, 2:8.2,  
2:12.5, 3:1, 3:3, 3:3.1, 3:9, 4:1,  
4:2, 4:6, 5:2, 5:3, 5:5 to 5:9,  
6:1, 7:5, 8:5, 8:6, 9:2 to 9:4,

### STATUTE OF LIMITATIONS

#### —Cont'd

10:4, 10:22, 18:11  
Emotional distress, 2:2, 2:3, 2:5,  
2:8.2, 3:3 to 4:2, 4:6, 5:2, 5:4,  
5:8, 7:5 to 8:6, 10:5, 16:2  
Employment contract, 2:3, 2:8.2,  
2:12.5, 5:5, 7:5  
Employment discrimination, 2:5, 3:1,  
4:4, 4:6, 5:5, 5:9, 9:3 to 10:3,  
10:5  
Equitable estoppel, 5:2, 5:8, 5:15,  
7:5  
Fiduciary duty, 1:3 to 2:3, 2:5, 2:7 to  
2:8.2, 2:12.5, 3:1, 3:3, 3:3.1,  
4:1, 4:2, 4:4, 4:6, 5:2 to 5:10,  
5:13, 5:15, 6:1, 6:5, 7:5, 8:5,  
8:6, 9:2 to 9:5, 10:3, 16:2,  
18:11  
Fraud and deceit, 5:10, 5:15  
Goods, 8:5  
Insurance, 1:3, 1:4, 2:2, 2:3, 2:5, 2:7  
to 2:8.2, 2:12.5, 3:1, 3:3 to 3:4,  
4:1, 4:2, 4:4, 5:2, 5:3, 5:5, 5:7  
to 5:9, 5:15, 6:1, 6:5, 7:1.1, 7:5,  
9:2, 10:5, 18:11, 21:8  
Malpractice, 1:3, 1:4, 2:2, 2:3, 2:5,  
2:7 to 2:8.2, 2:12.5, 3:1, 3:3 to  
3:4, 3:9, 4:1, 4:2, 4:4, 4:6, 5:1  
to 5:15, 6:1, 6:5, 7:1.1, 7:5 to  
8:7, 9:2 to 9:5, 10:3 to 10:5,  
10:12, 10:22, 10:26, 16:2,  
18:11, 21:8  
Medical malpractice, 2:7, 2:8.1, 3:1,  
3:3, 3:9, 4:1, 5:3, 5:5, 5:7, 5:9,  
5:10, 7:5, 8:5, 9:2, 9:4, 10:5,  
18:11  
No-fault law, 3:1, 10:5  
Nuisance, 2:5  
Premises liability, 2:8.1, 3:1, 7:5,  
10:5  
Privacy, 10:5, 18:11  
Products liability, 2:7, 3:1, 5:15, 8:5  
Professional services, 2:2, 2:3, 2:5,  
2:7, 2:8.1, 3:1, 4:4, 5:2 to 5:6,  
5:8 to 5:10, 5:15, 7:5, 9:4

**STATUTE OF LIMITATIONS**

—Cont'd

Promissory note, 2:3, 2:7, 3:3 to 5:2, 5:5, 9:4, 18:11  
 Quantum meruit, 1:3, 3:1, 4:2, 4:4  
 Tolling, 1:3, 5:2 to 5:11, 5:13, 5:15, 6:1, 9:4  
 Trade secrets, 5:4, 8:6  
 Unfair competition, 16:2  
 Unjust enrichment, 2:3, 2:7, 3:1, 5:4, 5:9, 21:8  
 Wrongful death, 2:3, 2:5, 2:7, 2:8.1, 3:1, 3:3, 3:4, 4:1 to 5:3, 5:6, 5:9 to 5:11, 6:5, 8:5, 8:6, 9:4, 9:5, 10:3, 10:5

**STATUTES**

Contributory negligence, 2:5  
 Violation of, 2:5, 2:8, 2:8.2, 2:12.2, 3:1, 5:3, 5:5, 5:9, 6:4, 7:6.1, 8:4

**STAY**

Defenses, 4:1

**STIPULATION**

Settlement, 1:4, 2:3, 2:5, 2:8.1, 2:8.2, 3:3, 4:1, 4:2, 4:4, 5:9, 7:6.1, 8:5 to 10:6, 14:2, 19:14, 20:2

**STOCK**

Fraud and deceit, 5:15

**SUBPOENA**

Witnesses, 2:8.1, 16:1

**SUBROGATION**

Banks, 2:5, 18:11  
 Insurance, 2:5, 6:2, 6:4, 6:5, 18:11, 19:2

**SUBSEQUENT**

Damages, 1:1, 1:3, 2:1, 2:3 to 2:5, 2:8.1, 2:8.2, 2:12.2, 2:12.5, 3:1 to 3:3.1, 3:5, 3:9, 4:1, 4:2, 4:6, 5:2 to 5:5, 5:7 to 5:9, 5:15, 6:1 to 7:1.1, 7:5, 7:13, 8:4, 9:2, 9:4, 10:5, 10:6, 10:8, 10:15, 10:18, 10:26, 14:7, 16:1 to 17:1, 17:5, 17:8, 19:12

**SUBSEQUENT—Cont'd**

Defamation, 2:4, 2:12.5, 5:3 to 7:5, 7:13, 10:5  
 Products liability, 3:1, 5:15, 10:6

**SUBSTANTIAL FACTOR**

Burden of proof, 3:1, 7:13  
 Damages, 1:4, 2:3, 2:8.2, 3:1, 3:3, 3:5, 7:13, 8:5, 13:8, 18:3, 19:2  
 Defamation, 7:13  
 Employment discrimination, 3:1  
 Fiduciary duty, 1:4, 2:3, 2:8.2, 3:1, 3:3, 3:5, 7:13, 8:5, 19:2  
 Medical malpractice, 3:1, 3:3, 7:13, 8:5  
 No-fault law, 3:1  
 Premises liability, 3:1  
 Products liability, 3:1, 8:5  
 Proximate cause, 1:4, 2:3, 2:8.2, 3:1, 3:3, 3:5, 7:13, 8:5, 13:8, 18:3

**SUBSTITUTE**

Profits, 2:3, 4:2, 12:6  
 Wrongful death, 2:3, 2:8.1, 3:1 to 4:2, 6:2, 8:4, 10:5, 12:6

**SUGGESTIONS**

Damages, 4:2

**SUICIDE**

Expert testimony, 2:5, 4:2  
 Foreseeability, 12:2  
 Life insurance, 4:2  
 Proximate cause, 2:5, 4:2  
 Subsequent injury, 4:2

**SUMMARY JUDGMENT**

Defamation, 2:4, 2:12.5, 5:3 to 7:5, 7:13, 10:5, 10:14

**SUPERMARKET**

Premises liability, 3:1

**SUPERVISION**

Children, 2:7, 4:2, 6:2, 8:6, 9:4  
 Independent contractor, 9:4  
 Medical malpractice, 2:7, 8:5, 9:4, 18:11

## INDEX

### **SUPERVISION—Cont'd**

Negligent supervision, 2:5, 5:8, 6:4, 8:5, 18:11  
Parks, 2:5, 4:2, 9:4

### **SUPPORT**

Child support, 2:3, 2:8.1, 3:9, 4:2, 4:4, 4:6, 8:4 to 9:5, 10:25, 14:3, 16:1  
Wrongful death, 1:1, 2:3, 2:5, 2:7 to 2:8.1, 2:12.2, 3:1 to 3:4, 4:1 to 5:3, 5:6, 5:9, 5:10, 6:2, 6:5, 8:4 to 8:6, 9:4, 9:5, 10:3, 10:5, 10:25, 12:2, 12:6, 19:14, 20:6

### **SURETY**

Indemnification, 6:4, 8:5  
Statute of limitations, 4:6, 8:5  
Subrogation, 6:4

### **SURVEY**

Professional negligence, 4:2

### **SURVIVAL**

Defenses, 2:3  
Wrongful death, 2:3, 2:5, 4:2

### **TELEPHONE**

Emotional distress, 4:6, 5:2  
Fallen, 3:5  
Medical malpractice, 1:1, 2:8.1, 4:1, 5:9, 9:4

### **TESTAMENTARY CAPACITY**

Will contests, 12:6

### **TESTING**

Products liability, 3:1

### **THEFT**

Defamation, 5:3  
Insurance, 3:5, 5:3, 6:5

### **THIRD PARTIES**

Contract, 1:1, 1:2, 2:8.1, 3:1, 6:1 to 6:5, 7:5, 8:3, 10:7, 12:2, 12:3, 12:6, 17:6, 19:14  
Defamation, 7:5  
Emotional distress, 7:5, 7:6.1

### **THIRD PARTIES—Cont'd**

Medical malpractice, 1:1, 2:8.1, 3:1, 7:5, 10:7, 12:6, 18:11, 19:14  
Premises liability, 2:8.1, 3:1, 7:5

### **THIRD PARTY BENEFICIARIES**

Identity of, 12:2

### **THREATS**

Emotional distress, 8:6

### **TIME**

Contracts, 1:1, 1:4, 2:3, 2:8.1, 2:12.2, 4:1 to 5:3, 6:2, 17:8  
No-fault law, 3:1, 10:5  
Statute of limitations, 1:3, 1:4, 2:2, 2:3, 2:5, 2:7 to 2:8.2, 2:12.5, 3:1, 3:3 to 3:4, 4:1, 4:2, 4:6, 5:2 to 5:11, 5:13 to 5:15, 6:1, 6:5, 7:1.1, 7:5 to 8:6, 9:2 to 10:5, 10:12, 16:2

### **TITLE**

Slander of title, 3:1

### **TITLE INSURANCE**

Defined, 3:1, 5:7  
Generally, 5:7  
Misrepresentation, 3:1, 5:3, 5:7, 21:8

### **TITLE VII**

Employment discrimination, 3:1

### **TRADE**

Defamation, 5:4, 7:5

### **TRADE SECRETS**

Abandonment, 5:4  
Defenses, 8:6  
Discovery, 5:4, 8:6  
Elements, 5:4  
Punitive damages, 8:6  
Statute of limitations, 5:4, 8:6

### **TRAFFIC**

Premises liability, 3:1

### **TRAINING**

Medical malpractice, 2:8.1, 5:9

**TRAINING—Cont'd**

Wrongful death, 2:8 to 5:9

**TREBLE DAMAGES**

Attorney malpractice, 2:1, 2:3, 3:1, 4:2

Fraud, 2:1, 2:3, 2:7, 2:8, 3:1, 4:2, 5:10, 8:6

**TRESPASS**

Burden of proof, 3:1, 3:6

Consent, 3:1

Damages, 3:1

Elements, 3:1, 3:6

Estoppel, 3:1

Standing, 3:1

**TRUSTS**

Attorney malpractice, 1:1, 5:5, 5:7, 5:9, 5:15, 6:5, 8:3

Fiduciary duty, 1:1, 1:4, 5:5, 5:7 to 5:9, 5:15, 6:5, 8:3, 8:10, 10:7, 12:3, 12:6, 19:14

Guardian, 1:1, 1:4, 5:5, 12:2, 12:6, 19:14

Will contests, 12:6

**UNCLEAN HANDS**

Fiduciary duty, 2:3

**UNCONSCIONABILITY**

Liquidated damages, 3:1

**UNDERLYING CRIMINAL PROSECUTION**

Malicious prosecution, 16:1

**UNDERWRITERS**

Fiduciary duty, 2:3, 6:1, 6:5, 8:2

**UNFAIR COMPETITION**

Breach of fiduciary duty, 16:2

Common law, 16:2

Elements, 16:2

**UNITED STATES**

Bivens case. tortious violations of constitutional rights by u.s. officers., 2:3, 2:8.1, 3:1, 9:2,

**UNITED STATES—Cont'd**

9:4, 10:6, 10:7, 16:1

Constitutional law. tortious violations of constitutional rights by u.s. officers., 2:3, 2:8.1, 3:1, 9:2, 9:4, 10:6, 10:7, 16:1

**UNLAWFUL ACTS**

Proximate cause, 16:1

**USE**

Premises liability, 2:8.1, 3:1, 7:5, 8:2, 10:5, 10:20

**VENUE**

Change of venue, 4:2

**VICARIOUS LIABILITY**

Civil rights, 8:4

Defamation, 7:13, 10:5

Generally, 18:2

**VISITATION**

Divorce, 2:5, 2:12.5, 3:1, 4:1, 9:3, 14:7

**WAGES**

Punitive damages, 4:6

**WAIVER**

Attorney malpractice action, 3:1, 3:3

Battery, 16:1

Checks, 2:12.2, 7:7, 8:4

Contracts, 2:12.2, 4:2, 17:9

Employment discrimination, 3:1

Equitable estoppel, 7:5

Fiduciary duty, 1:3, 2:12.5, 3:1, 3:3, 4:2, 7:5, 7:13, 8:4, 17:9, 19:14

Fire insurance, 4:2

Insurance, 1:3, 2:12.5, 3:1, 3:3, 4:2, 7:5, 7:7, 7:13, 19:14

Jury trial, 16:1

Premises liability, 3:1, 7:5, 15:2

Privilege, 1:3, 2:12.5, 7:6.1, 7:13

Res judicata and collateral estoppel, 7:5

Sovereign immunity, 2:8, 7:6.1

Spouse, 8:4

## INDEX

### **WAIVER—Cont'd**

- Statute of frauds, **7:13**
- Statute of limitations, **1:3, 2:12.5, 3:1, 3:3, 4:2, 7:5, 7:6.1**

### **WARRANT**

- Arrest, **2:8.1**
- Battery, **2:8.1, 4:1**
- False imprisonment, **3:1**

### **WARRANTIES**

- Agent, **3:1**
- Burden of proof, **3:1**
- Damages, **3:1**
- Insurance, **3:1**
- Opinion, **3:1**
- Privity, **3:1**
- Products liability, **3:1**
- Professional services, **3:1**
- Proximate cause, **3:1**
- Services, **3:1**
- Substantial factor, **3:1**
- Third party, **3:1**

### **WATER**

- Damages, **1:1, 2:8.2, 3:1, 4:1, 5:3, 5:6, 5:7, 5:13, 5:15, 6:1, 6:5, 10:5**
- Generally, **5:7**

### **WEAPONS**

- Proximate cause, **3:5**

### **WILL CONTESTS**

- Attorneys, **12:6**
- Fiduciary duty, **12:6**
- Fraud, **12:6**
- Publication, **12:6**
- Testamentary capacity, **12:6**
- Trustee, **12:6**

### **WILLS**

- Legal malpractice, **12:2, 12:3, 12:5, 12:6**

### **WITNESSES**

- Compensation, **2:3, 2:8.1, 2:12.2, 3:2, 3:5, 4:2, 7:5, 10:4, 16:1**

### **WITNESSES—Cont'd**

- Conflicting testimony, **2:8.1**
- Defamation, **7:5**
- Fact witnesses, **16:1**
- Generally, **2:3**
- Insurance, **2:2, 2:3, 2:8.1, 3:2, 3:3.1, 3:5, 4:2, 7:5, 9:2, 10:25**
- Malicious prosecution, **16:1**
- Travel, **2:2**

### **WORDS**

- Assault, **1:1, 2:5, 2:8.1**
- Battery, **2:8.1**

### **WRONGFUL DEATH**

- Age, **5:3, 9:4**
- Burden of proof, **3:1, 3:2, 3:8**
- Children, **2:3, 2:7, 2:8.1, 3:1, 3:4, 4:1 to 5:3, 5:9, 5:11, 6:2, 6:5, 8:4, 8:6, 9:4, 12:2, 12:6, 19:14, 20:6**
- Comparative negligence, **2:5**
- Conditions precedent, **2:3, 3:3, 9:5**
- Damages, **1:1, 2:3, 2:5, 2:7 to 2:8.1, 2:12.2, 3:1 to 3:4, 4:1 to 5:3, 5:6, 5:9, 5:10, 6:2, 6:5, 7:2, 8:4 to 8:6, 8:9, 9:4, 9:5, 10:3, 10:5, 10:25, 12:2, 12:6, 19:14, 20:6**
- Derivative action, **5:3**
- Divorce, **1:1, 2:3, 2:5, 2:8, 2:8.1, 2:12.2, 3:1, 3:3, 4:1 to 5:3, 5:6, 5:9, 6:2, 8:4 to 8:6, 9:4, 10:25, 12:6, 19:14**
- Earnings, **4:2, 8:4**
- Economic loss, **4:2, 5:3, 6:2**
- Health, **1:1, 2:3, 2:5, 2:8, 2:8.1, 8:4, 10:5**
- Interest, **1:1, 2:3, 2:5, 2:7 to 2:8.1, 3:1 to 3:3, 4:1 to 5:3, 5:6, 5:9, 5:10, 6:2, 6:5, 8:4 to 8:6, 8:9, 9:4, 9:5, 10:3, 12:2, 12:6, 19:10, 19:14, 20:6**
- Medical malpractice, **1:1, 2:7, 2:8.1, 2:12.2, 3:1 to 3:3, 3:8, 4:1, 5:3, 5:9, 5:10, 8:4 to 9:4, 10:5, 10:25, 12:6, 19:14, 20:6**

**WRONGFUL DEATH—Cont'd**

Pecuniary injuries, 4:1  
Prima facie case, 2:3, 2:5, 3:1 to 3:3,  
3:8, 4:1, 4:2, 9:4, 10:5  
Punitive damages, 4:1, 4:2, 8:6  
Services, 1:1, 2:3, 2:5, 2:7 to 2:8.1,  
2:12.2, 3:1, 3:3, 3:8, 4:1 to 5:3,  
5:6, 5:9, 5:10, 6:2, 6:5, 8:4, 8:6,  
8:9, 9:4, 9:5, 12:2, 12:6, 19:14  
Statute of limitations, 2:3, 2:5, 2:7,  
2:8.1, 3:1, 3:3, 3:4, 4:1 to 5:3,  
5:6, 5:9 to 5:11, 6:5, 8:5, 8:6,

**WRONGFUL DEATH—Cont'd**

9:4, 9:5, 10:3, 10:5  
Support, 1:1, 2:3, 2:5, 2:7 to 2:8.1,  
2:12.2, 3:1 to 3:4, 4:1 to 5:3,  
5:6, 5:9, 5:10, 6:2, 6:5, 8:4 to  
8:6, 9:4, 9:5, 10:3, 10:5, 10:25,  
12:2, 12:6, 19:14, 20:6  
Survival action, 2:3, 2:5, 4:2  
Theory of case, 2:3  
Training, 2:8 to 5:9

**ZONING**

Emotional distress, 2:2 to 4:2