

Torts Questions

Question 1 (45 minutes)

One rainy day, Kirk and Jessica offered a homeless man their meatball sandwich. However, the man was upset because he wanted money. The man hit the sandwich out of Jessica's hand. The sandwich flew towards Kirk's face. Kirk ducked because he was scared that the sandwich would hit him. The sandwich missed Kirk by an inch, but caused him to drop his umbrella.

The man grabbed Kirk's umbrella and ran away. Barry, the owner of the corner store, saw the man running and yelled "Stop Thief!" Barry threw a large rock at the man; Barry helped Kirk because Kirk had purchased the umbrella from Barry's store.

The rock hit the man in the head and knocked him down. The man was enraged, got up, and ran towards Barry with the umbrella raised. Barry punched the man in the face and the man fell down. The man was unconscious. When the man woke up, Barry said, "Follow me into the store or I'm going to call the police." The man said nothing and followed Barry into the store.

Barry put the man behind the counter and walked away to give the umbrella back to Kirk. Barry got into a conversation with Kirk that lasted 20 minutes. The man patiently sat behind the counter. Suddenly, the man fainted because the rock that hit him on the head caused internal bleeding. Barry returned and saw the man on the floor. Barry called 911 and the paramedics rushed the man to the hospital.

[Omitted]