

Question 1

The first claim will be that the
prosecutor (P) intentionally inflicts emotion (IIED)
distress on the student by putting someone grades.

The IIED has been recognized in many
jurisdiction as an independent basis for recovery.

Historically, E.D. was not recoverable unless it
either resulted from a physical harm or had a
physical manifestation result from it. OK

Now, RS Tort §46 states that one who by
extreme & outrageous conduct intentionally or recklessly
inflicts severe emotional distress on another is OK
liable for the E.D. & if bodily harm results
for the bodily harm is well. Additionally,

bystanders can be allowed recovery if they

suffer ED. Family members recover w/o

a showing of bodily harm while 3d persons

unrelated require a showing of harm. ^{OK} ~~Extremed~~

Outragious conduct is that which exceeds all

bounds normally tolerated by decent society. It

does not include insults or mere inconsiderations

but can arise from an abuse of the actors

position or from a known special sensitivity of ^{OK}

the victim. Here, the P has a position

of authority & the P ~~knows~~ students concerned

about grades are especially sensitive. ^{OK}

Severe emotional distress includes anger

Veraxation, gross disappointment and other
feelings but they must be severe. Severe
is that beyond which a reasonable person
shouldn't be expected to bear. OK

Because the P abused his position in
a way he knew it would affect sensitive
students (S) & the facts indicate that the
reg. good discussion but what would
students indeed were severely distressed since
Pluto argue?
they were argued & set out to harm (P), &

Causing harm to TIED has been stated.

Pluto will argue the S assaulted
him when they were running at him.

Assault is the intentional infliction of the

apprehension of an immediate harmful or
offensive contact. OK The harm must

be immediate. Offense means unauthorized.

Apprehension does not require fear. It only

requires "anticipation with discomfort" of the

act. Since P jumped up & closed his

door, he evidently felt apprehension &

therefore was assaulted. OK

The verbal threats of killing P

ordinarily would not constitute an assault

But did he have "imminent"

but coupled with the physical acts it
apprehension once he locked his door?

reinforces the words to be an assault.

Since P smirked behind his back,

some evidence exists that he was not
in fear or apprehension. The fact he

was under the desk though does indicate

OK - careful reading of
he might have been. the facts

P did retreat to a known safe
did he have one?
area as required by some jurisdictions who

reason that human life is valued higher than
digit of standing your ground.

P shooting though the door was
define
a battery. It is not in self

defense because you may defend yourself

when you honestly & reasonably believe you

are being attacked & use the force

that appear reasonably necessary. Deadly force
or force likely to cause serious injury is only
justified when the person using such force feels

he must use it to defend against some
would he in his "business"?
force unless in his home or business.

Since P was in a locked room & maybe
could have called on the phone for help he
OK
was not justified. He probably should wait
& if the door was broken down, then shoot.

The shooting was a battery because P
intended to inflict ^{& did inflict} a harmful or offensive

contact on the S. Intent is to depict

the actors desire to bring about consequence

or knowledge that such consequences
are substantiated certain to result. Firstly

through a door where people are known
to be on the other side surely intent
also discloses assault here
it is therefore a battery

P may bring an action for false
imprisonment since he was trapped in his study

by the students. False imprisonment is

willful detention of the π without π 's consent or

justification. Since P put himself in the

office & none actually tried to leave,

his freedom may not have been taken &

therefore may have no recovery. On the

Other hand, a reasonable person
might conclude there is no way out when

An angry mob is blocking the door & trying
to kill you.

The outcome should be that the
FIED claim is valid, Assault on P is
valid, Battery on S is valid, False imprisonment
is invalid. needs more discussion

Discuss whether Photo
has an insanity defense.

The court refuse to issue an outright injunction.

Historically, injunction were automatic once a substantial harm was shown. Now, we tend to balance equities to determine issuance.

The court will issue an injunction that will be flexible.

The 1/2 house will only be allowed to house "non-violent" parolees & will need to implement a system for knowing where the parolees are at all times. OK If

The court is not satisfied the AS

will do this effectively, a permanent injunction will issue.

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about grades are especially sensitive. ^{OK}

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I found this answer interesting, but
I also think it's the weakest
part of your exam. You needed to get
deeper into a number of issues. Discussing
the need to deter such misconduct,
whether the dr. would be a
"surrogate" parent, whether damages
would be speculative, whether
Sweet Lea would be an "emotional
hostend," & whether I have
should suppose the benefit of
having a healthy child to the
burden of having one who's
"unwanted."

or knowledge that such consequences
are substantiated certain to result. Flirting

through a door when people are known

to be on the other side satisfies intent
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Discuss with the PLo
has a means defense.

W. should recover for the work
lost during pregnancy, pain & suffering during

child birth & lost work during pre-natal
period. ^{what about the medical expenses}
of pregnancy, delivery, etc?

Punitive damage should be awarded
against the Dr because of his gross

negligence. By being under the influence of drugs,

Dr. shows a total lack of respect for

his patient & society. ^{OK} Taking the drugs

was morally wrong / illegal & the Dr. knew it

would affect him or he should have known it would. ^{OK}

A patient may consider the possibility that

a Dr may not do a perfect job but

a patient should be entitled to expect
a sober, lucid surgeon. The doctor
knew he had taken drugs & could have
stopped the operation but proceeded in the
face of known substantial & unjustifiable
risk. OK

I also feel D+W should be allowed
recovery for the costs of raising the child.

D+W relied on Dr & Dr failed to deliver
the result bargained for. Even though

Drs are held to less than a expectation
measure of damages because of the inexactness

of science, I feel that the Dr knows

a certain percentage of skillfully performed operations are unsuccessful. Assuming 10% are normally unsuccessful from a non-negligent operation, I believe that it is foreseeable & proximate that the damage of a failed operation are the cost of raising baby B X 90%. In other words, P & W assume the normal 10% failure but the Dr. assumes the rest. Where negligence is involved, the Dr. should assume all since he failed to perform on the 90% success side due to negligence. OK

For me it is a matter of bargain for exchange & bread & butter of care.

DW: tell the Dr. & show

Know - if you don't do this matter

right - we (DW) will forecast &

proximate's satisfaction equal to the

cost of B. P & W can have the

Presumption that they don't have to

again at the Dr can save himself
about 4 the

by requiring additional method &

birth control until he can get on

fact to determine if the approach is

successful

Reformation is not a unit policy

Chase for the court because it

places the PT in a position to deny

love or suffer a reduction or bar in recovery.

Parents should have the choice to be anonymous if they desire

& may should go partly in trust for

the child to be sure P+W don't travel

OK
extensively on the money.

P+W have the right to plan their lives

Dr has a right to practice medicine. P+W

can decide to use condoms, pills etc or

can decide on a vasectomy. If Dr. holds

himself out to be a professional & P+W

assume the risk of the normal, non-neglected

fault rate - why should the
Dr have to pay for his negligence.

If a patient goes to a Dr.
for a face lift & is very severely
mangled should the Dr pay? What
if the victim is able to get
a \$1,000,000 per movie contract to
interesting
play Freddy Krueger's sister? Surely a
court would not deny recovery for the
Dr negligence by asking the π benefit.

We are concerned with the causes of
But doesn't this beg the question of
damages - not whether the damages are better
whether there are any damages?
or worse for the π .

claim that the child will be an
emotional bastard can be taken care
of by anonymous pleadings. Additionally
the child will be loved more & not
resented if the cost of raising can be
paid for by the Dr., the one who
OK
caused the damage.

A parent of a child should not
be required to abort or say he hates
his child to recover. Explain more - I agree
with you but give more analysis
Good answer but you needed more
explanation of the dr's arguments that
damages would be speculative, etc.

Issue Outline

Int. Harms

Assault

Battery

False imprisonment

In Infr. of Emotional Dist.

Defenses:

Insanity

Self Defense

Rec. of chattel

Def. of Property

Necessity

Product List

History - 4

Escoe, Traynor

402A comment

K v. Keel

Bucanhan article

Damages

Primitive Damages

Int L. & Neg

R v F, Reg. SC

Justices opinions
two-thirds,
cases.

A.L.

Trespass - Conversion
Animal

Ab. Darg. activities

neg. analysis

defense

Presence

history, definition

analysis, judge's opinion

Question #1

Pluto's students:

The first claim Pluto will have against the students is for an assault. Assault occurs when an individual acts intending to cause harmful or offensive contact with another or put that person in imminent apprehension of such contact. Minor, the person is threatening put in imminent apprehension of immediate harm. The assault occurred when the students "joked with tags," then changed Pluto's Office. Then student was to put Pluto in fear of impending harm. It is not necessary that victim be could avoid the ensuing group. It is enough that he felt they could inflict immediate harm. Pluto has a right to security of person & to live w/o fear of harm from others. The students

will counter with the ~~the~~ defense that they were merely responding to a outrageous act on the part of Pluto. He knows the stress law students are under & proceeding to play on that. However, public policy demands individuals have a right to security of person & consequently, Pluto will probably OK prevail on the assault claim.

The second claim for Pluto may be a false imprisonment.

False imp. is a willful or intentional detention of an individual w/o OK consent or legal justification. It usually involves an element of coercion.

Pluto will claim that his liberty & freedom to move was taken away. He had no other escape & will claim this imprisonment was intentional & not negligent.

The students will argue that Pluto chose that escape & more or less imprisoned himself.

Who wins & why?

Problem #2

Damages serve two purposes, a corrective justice approach in compensating plaintiff and a utilitarian approach in deterring further acts of this nature. In determining damages one must ask the question, ~~with this~~ what will fairly compensate the plaintiff for the harm he suffered. There are three rules which guide the award of damages: 1) juries have a wide ~~at~~ discretion in determining & must do so on a case by case basis. 2) damages are a separate issue from liability. 3) all issues should be disposed of in one suit. With these in mind, one can enter into a determination of damages in the present case. OK

In awarding actual damages I would follow the majority's opinion in *Wilbur v. Kerr*. I would fairly compensate the plaintiffs for the

But the sad fact is that thousands of parents feel cursed rather than blessed & here the dr. has deprived them of their right to choose.

cost of the pregnancy + the birth

However, I would not allow them to recover for the cost of raising the child. ~~This child may be~~

It is a healthy, normal girl and the parents should be blessed with such a creature. If the child eventually

found out the parents sued to pay for its upbringing, it may become an emotional bastard.

Feel the family unit is too strong & would not want to destroy that through allowing recovery

for the raising. ~~the~~

How will awarding money destroy the family?

My opponents will argue that this policy ~~is~~ encourages abortion & adoption. They feel that in

order for the parents to recover,

they must argue that they do

They wish to invoke the Rest § 90.

which states that if the

in harming the II, also confers

on the II a benefit, this will be

do you have a response for this?

taken into consideration which
mitigating the damages. However
for this to work, the parents
must argue that they don't
love or want the child in order to
recover the full amount. True

Though I adhere to the reasoning
in *Wilbur v. Kerr*, I would take
~~it~~ one step further & award
punitive damages. Punitive damages
can be awarded when there is
recklessness or intentional
tort, or gross negligence. It must
be more than simple negligence.

you write
very
well

(It must be a conscious conscience
indifference, scorning the accepted
moral codes of the day. The
must stop, think, be aware of
the danger, & proceed anyway.

I feel all these elements exist
here. The doctor has taken a
sworn oath to preserve life.
Individuals in our society trust

rely on doctors to perform not only life saving feats but also everyday health tasks. In drinking alcohol taking illegal drugs, the doctor crossed that line from simple negligence to ^{good} damn negligence. It makes one desire to utter curse words ~~True~~ in his general direction. He knew of the harm, & proceeded anyway. This act was egregious & reckless and must be punished severely in order to deter future occurrences.

In determining the [#] amount of punitive damages the court looks at several factors:

1. what did the D know & when did he know?
2. what did he do about it?
3. How serious was the danger? ^{good}
4. look at the harm to P
5. also look at D's wealth.

The punitive damage award must

activity outweigh its benefit.
I do not feel it does. This center
performs a great societal function.
It has been honored for being run
well & effectively. We need centers
like this in our society. The
Simpson's cannot show they
suffered any real harm, in
nuisance standards, because of
the center. However, just because
the benefit outweighs the harm,
does not mean the Simpson's are
out of luck. ^{Explain} I am not going to
~~award an injunction, however~~
~~dam~~

Because of the foregoing analysis,
I have determined that the
center is a ^{not} nuisance, ~~not a~~
~~slight & insubstantial one.~~

Consequently, I am not going to
award an injunction enjoining
the activity. Moreover, I am not
going to award any damages. The
Simpson's cannot prove they are

Problem #3 cont'

Nuisance:

you're really an
egotist center

Before a proper analysis on
nuisance can begin, a brief history
of nuisance is necessary. ³
At one time, all an individual had
to show was a substantial harm,
and he would be entitled to an
injunction or damages. The courts
did not consider the benefit of
his activity or the amount of \$ at time
he had invested. However, before
begin to complain that they didn't
want businesses shut down so
next developed a cost/benefit
analysis. Does the benefit of his activity
outweigh the harm it causes? If
no, then he is entitled to no
remedy. again, people complained.
They now wanted businesses to shoulder
the burden. So finally our present
day test was established as seen
in Rest § 826. It is a harm/benefit
analysis. The flexibility just is, that

Describe the
circumstances
when damages will be
awarded

(not allows a T. to recover damages,
even though the benefit of the
activity outweighed the harm.)

A nuisance is an (not necessarily
intentional)
+ unreasonable interference with the
T's use & enjoyment of his land.

In determining whether the present
activity constitutes a nuisance
will be considering several factors.

1. Is the activity causing substantial
damages? To prove this the T's must
show that either they suffered some
property damage or the market value
of their land & home has dropped.

If the nuisance complained of is
merely noise or discomfort, they
must show it is continuous.

~~It would be safe to assume that the
property value has dropped
dramatically & that this will
constitute a substa~~

Since the
T's bought this land cheap
it would be safe to assume that the

Really? What about the fear of
more children being killed?

property value hasn't dropped all
that much. I would also assume
that they can show no sense or
discomfort.

2. The ^{activity} ~~interference~~ must interfere
w/ a reasonable person in the
community. It must not be judged
by a person w/ a particular quirk
or problem. ~~It must~~ This is a
tough one. The Simpson's may
not be considered reasonable
people, but for our purposes they
will satisfy that test. Consequently
this activity might be considered
a nuisance utilizing this standard,
however, more determinative
analysis needs to be done.

nice
touch

3. Live & Let Live Rule - this rule
calls for individuals to tolerate,
low level, yet admitted nuisances.
The logic behind this is two fold.
First we don't want to tie up the
courts w/ petty litigation and
secondly, both parties can

expect the same nuisances to be on to each other. However, in this case, the nuisance is neither ^{good} level nor can it be reciprocated.

4. Locality factor - this factor ^{considered w/ the} ~~is the~~ ~~fact~~ situation given, proves to be very important. In looking at the nuisance we need to consider the area ^{where} it is being carried on. Is it residential or commercial? also, we need to look at the local zoning ordinances. The ozone center was built in a sparsely settled area. If the center were to choose a reasonable spot, this would be

Is this
dispositive?

just. Moreover, it does not violate any zoning laws. Along w/ the reasoning in Fountainbleau, I would tell the Simpsons to talk to their city councilmen/women to remedy this. ~~The~~ The center is conducting a legal activity & is not breaking any laws.

5. coming to the nuisance - the center will argue that the Simpson's came to the nuisance. The center was there first & they have invested time & money. ~~The Simpson's will argue that~~ Moreover, the center will point out that the Simpson's bought their property at a very cheap price & are now trying to extort or "stick up" the center. The Simpson's will argue that the center has no right to condemn the land surrounding them w/o paying for it.

I feel this factor tips in favor of the center. I realize that coming to the nuisance is ~~not~~ an iron clad defense, yet I feel the Simpson's may be ^{what kind of poison wouldn't trust Home?!} trying something sneaky here. Simpson!?!?

6. Finally, we need to consider the Boomer ^{harm} ~~harm~~ / benefit analysis. Does the harm caused by the

Defenses Ozone center might have:

- 1) § 523 assumption of risk
- 2) § 524 contributory negligence

activity and would hold the Ozone Center strictly liable for Bart's death.

Reasons on top of § 520:

- 1) Proximity of risk. The ~~pro~~center creates an disproportionate amount of risk onto the Simpson's. The risk is not equal. OK
- 2) loss spreading - hold the person strictly liable because it can pass the cost onto the taxpayers. They are in a better position to pay for Bart's death. OK
- 3) cheaper cost accides - put the liability cost on the one who could have most easily prevented the death. This is obviously the center.
- 4) corrective justice - the morality, equity argument. The Simpson's suffered a loss and the Ozone Center should pay for it. OK
- 5) loss minimization - keep strong see Blue Book #2

pressure on center to make it as safe as possible.

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6. Finally, we need to consider the ^{harm} ~~harm~~ / benefit analysis.

Does the harm caused by the

activity outweigh its benefit. I do not feel it does. This center performs a great societal function. It has been honored for being run well & effectively. We need centers like this in our society. The Simpson's cannot show they suffered any real harm, in nuisance standards, because of the center. However, just because the benefit outweighs the harm, does not mean the Simpson's are out of luck. ^{Explain} I am not going to award an injunction, however ~~damages~~.

Because of the foregoing analysis, I have determined that the center is a ^{not} nuisance, ~~quite a slight & insubstantial one.~~

Consequently, I am not going to award an injunction enjoining the activity. Moreover, I am not going to award any damages. The Simpson's cannot prove they are

Pluto's third + final claim will
 be that he acted justifiably in
 self defense. One can use force
 if he reasonably ^{↓ honestly} feels that his
 life is in danger or that he is
 in imminent danger of receiving
 great bodily harm. Here, Pluto
 used a shotgun to blow a hole
 through the door. One can only
 use force when threatened w/
 deadly force. The actor has to
 act reasonably. The student
 will claim that using a shotgun
 as a self-defense against law
 students behind a locked door
 is unreasonable. The law students
 have the better argument here. There
 was ~~an opportunity~~ ^{an opportunity} ~~to use lesser~~
 force & Pluto should have opted
 for it. good

Students v. Pluto

The initial claim for the students will obviously be battery. Battery exists when one individual intends to cause harm or offensive contact, ^{Not necessary for battery} [thereby putting the other in imminent apprehension] and the harmful or offensive contact directly or indirectly results.

There must be an intent to ~~causing~~ about a result which will invade the interests of another, in a manner that the ^{OK} law will not sanction. This intent existed here. Pluto's intent was unlawful & he committed an unlawful act.

He will claim that he was acting in self-defense however, as discussed earlier this is a frail defense. ^{OK}

The second claim for the students will be that of intentional infliction

of emotional distress. This occurs ~~but~~ when there is extreme or outrageous conduct through reckless ^{or} intentional behavior and severe emotional distress occurs. OK

The act must be one which goes beyond all reasonable bounds of decency. If it is a mere insult or indignity, the actor will not be held liable. ~~that~~ Under normal circumstances, ~~that~~ ^{the} act of Plato passing it's may not be intentional infliction of emotional distress. However, Plato had knowledge of the student's particular susceptibility. He knew they were stressed out & stirring up. It was a calculated act which invaded the rights of the students. The student of course will need to ^{right} prove they suffered severe emotional distress. However, they do not have to show they suffered any bodily harm. Onlookers students may

get to recover, yet they must
prove they suffered bodily harm.

Under the circumstances coupled
with Pluto's knowledge, the students
will probably recover on this claim.

This is a pretty solid answer
but you needed to resolve the
false imprisonment argument for
me & perhaps discuss whether
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- 1) § 523 assumption of risk
- 2) § 524 contributory negligence

activity and would hold the Ozone Center strictly liable for Bart's death.

Reasons on top of § 520:

- 1) Proximity of risk. The procenter creates an disproportionate amount of risk onto the Simpson's. The risk is not equal. OK
- 2) loss spreading - hold the person strictly liable because it can pass the cost onto the taxpayers. They are in a better position to pay for Bart's death. OK
- 3) cheaper cost avoider - put the liability cost on the one who could have most easily prevented the death. There is obviously the center
- 4) corrective justice - the morality, equity argument. The Simpson's suffered a loss and the Ozone center should pay for it. OK
- 5) loss minimization - keep strong see Blue Book #2

pressure on center to make it as safe as possible.

Defenses Ozone center might have:

- 1) § 523 assumption of risk
- 2) § 524 contributory negligence

activity and would hold the Ozone Center strictly liable for Bart's death.

Reasons on top of § 520:

- 1) Proximity of risk. The procenter creates an disproportionate amount of risk onto the chimpanzees. The risk is not equal. OK
- 2) loss spreading - hold the person strictly liable because it can pass the cost onto the taxpayers. They are in a better position to pay for Bart's death. OK
- 3) cheaper cost accident - put the liability cost on the one who could have most easily prevented the death. This is obviously the center
- 4) corrective justice - the morally, equity argument. The chimpanzee suffered a loss and the Ozone center should pay for it. OK
- 5) loss minimization - keep strong see Blue Book #2

pressure on center to make it as safe as possible.

Problem #3 cont'

Nuisance:

you're really an excellent writer

Before a proper analysis on nuisance can begin, a brief history of nuisance is necessary. At one time, all an individual had to show was a substantial harm, and he would be entitled to an injunction or damages. The courts did not consider the benefit of S's activity or the amount of \$ at time he had invested. However, before began to complain that they didn't want businesses shut down so next developed a cost/benefit analysis. Does the benefit of S's activity outweigh the harm it causes? If so, then the T was entitled to no remedy. Again, people complained. They now wanted businesses to shoulder the burden. So finally our present day test was established as seen in Rest § 826. It is a harm/benefit analysis. The flexibility just is that

Really? What about the fear of
more children being killed?

6

property value hasn't dropped all
that much. I would also assume
that they can show no sense of
discomfort

2. The ^{activity} ~~interference~~ must interfere
w/ a reasonable person in the
community. It must not be judge
by a person w/ a particular quirk
or problem ~~it must~~ this is a
tough one. The Simpson's may
not be considered reasonable
people, but for our purposes they
will satisfy that test. Consequently
this activity might be considered
a nuisance utilizing this standard,
however, more determinative
analysis needs to be done.

nice
touch

3. Live & Let Live Rule - this rule
calls for individuals to tolerate,
low level, yet admitted nuisances.
The logic behind this is two fold:
First we don't want to be up the
courts w/ petty litigation and
secondly, both parties can

erect the same nuisances to it
on to each other. However, in this
case, the nuisance is neither ^{good} level
nor can it be reciprocated.

4. Locality Factor - this factor ^{considered w/ the} ~~on the~~

~~fact~~ fact situation given, proves to
be very important. In looking at

the nuisance we need to consider
the area ^{where} it is being carried on.

Is it residential or commercial?

also, we need to look at the local

zoning ordinances. The Ozone center

was built in a sparsely settled area.

If the center were to choose a

reasonable spot, this would be

Is this
dispositive?

7. Moreover, it does not violate

any zoning laws. Along w/ the

reasoning in Fountainbleau, I

would tell the Simpson's to

talk to their city councilmen/women

to remedy this. ~~the~~ The center is

conducting a legal activity &

is not breaking any laws.

5. coming to the nuisance - the Center will argue that the Simpson's came to the nuisance. The center was there first - they have invested time & money. ~~The Simpson's will argue that~~ Moreover, the center will point out that the Simpson's bought their property at a very cheap price & are now trying to extort a "stick up" the center. The Simpson's will argue that the center has no right to condemn the land surrounding them w/o paying for it.

I feel this factor tips in favor of the Center. I realize that coming to the nuisance is not an iron clad defense, yet I feel the Simpson's may be ^{what kind of person wouldn't trust Home?!} trying something sneaky here. Simpson!?!?

6. Finally, we need to consider the Boomer ^{harm} / benefit analysis.

Does the harm caused by the

activity outweigh its benefit. I do not feel it does. This center performs a great societal function. It has been honored for being run well & effectively. We need centers like this in our society. The Simpson's cannot show they suffered any real harm, in nuisance standards, because of the center. However, just because the benefit outweighs the harm, does not mean the Simpson's are out of luck. ^{Explain} I am not going to award an injunction, however ~~damages~~

Because of the foregoing analysis, I have determined that the center is ^{not} a nuisance, ~~at a slight & substantial one.~~

Consequently, I am not going to award an injunction enjoining the activity. Moreover, I am not going to award any damages. The Simpson's cannot prove they are

Pluto's third + final claim will
 be that he acted justifiably, in
 self defense. One can use force
 if he reasonably ^{↓ honestly} feels that his
 life is in danger or that he is
 in imminent danger of receiving
 great bodily harm. Here, Pluto
 used a shotgun to blow a hole
 through the door. One can only
 use force when threatened w/
 deadly force. The actor has to
 act reasonably. The students
 will claim that using a shotgun
 as a self-defense against law
 students behind a locked door
 is unreasonable. The law students
 have the better argument here. There
 was ~~an opportunity~~ ^{an opportunity} ~~to use lesser~~
 force & Pluto should have opted
 for it. good

Students v. Pluto

The initial claim for the students will obviously be battery. Battery exists when one individual intends to cause harm or offensive contact ^{Not necessary for battery} [thereby putting the other in imminent apprehension] and the harmful or offensive contact directly or indirectly results.

There must be an intent to ~~acting~~ about a result which will invade the interests of another, in a manner that the OK law will not sanction. This intent existed here. Pluto's intent was unlawful & he committed an unlawful act.

He will claim that he was acting in self-defense however, as discussed earlier this is a frail defense. OK

The second claim for the students will be that of intentional infliction

of emotional distress. This occurs ~~that~~ when there is extreme or outrageous conduct through reckless ^{or} intentional behavior and severe emotional distress occurs. OK

The act must be one which goes beyond all reasonable bounds of decency. If it is a mere insult or indignity, the actor will not be held liable. ~~that~~ Under normal circumstances, ^{the} act of Plato posting this may not be intentional infliction of emotional distress. However, Plato had knowledge of the student's particular susceptibility. He knew they were stressed out & stirring up. It was a calculated act which invaded the rights of the students. OK

The student of course will need to ^{right} prove they suffered severe emotional distress. However, they do not have to show they suffered any bodily harm. Onlookers students may

get to recover, yet they must
prove they suffered bodily harm.

Under the circumstances coupled
with Pluto's knowledge, the students
will probably recover on this claim.

This is a pretty solid answer
but you needed to resolve the
false imprisonment argument for
me & perhaps discuss whether
Pluto had an insanity defense.