
PREFACE TO THE SECOND EDITION

This casebook is designed to help students learn about basic principles and policies of tort law, and to develop their skill in working with cases — especially their ability to distinguish cases that seem superficially similar, and to find connections between cases that are superficially different. For these purposes the best cases often are older ones that, when put side by side with others, provide grist for lively and instructive class discussions. Since the book does not aim to provide detailed information about the most recent wrinkles in tort doctrines that various states have produced, the revisions for this edition tend not to be “updates” of that kind; most of the changes instead are responses to requests and suggestions from instructors who have assigned the book — for example, that additional facts be included in case descriptions here and there, or that a favorite case be added or expanded, or that an unhelpful case be dropped. A number of instructors also asked for enlarged coverage of the Restatement (Third) of Torts; we thus have added additional excerpts to many sections of the book. And we have added notes on some recent public events of interest to the student of tort law: the 9/11 Victims’ Compensation Fund (in the chapter on damages), and litigation over the painkilling drug Vioxx (in the chapter on cause in fact).

We consider the experience of those who have used a casebook to be the most valuable guide to how it might be improved. We thus are very grateful for the recommendations made to us by professors who worked with the first edition, and encourage future users to pass on additional suggestions in reply to this new one.

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