

TORTS REMEDIES

		HARM / TAKING OF PROPERTY			HARM TO PERSONAL INTERESTS		
GENERALLY		MONEY	CHATELS	REALTY	PERSONAL	DIGNITARY	ECONOMIC
		Conversion Unjust Enrichment	Trespass to Chattels Conversion	Trespass Nuisance Waste Encroachment Interference or Destruction	False Imprisonment Assault Battery Sexual Negligence	Defamation & Invasion of Privacy	Fraud Business Torts Misuse of Legal Process
LEGAL	Money Damages						
	Compensatory General & Special 1. Causal 2. Foreseeable 3. Certain 4. Calculable	Damages To recover for damages in a tort for conversion, it must show that identifiable money was taken.	Damages Interference Lost value or repair cost + loss of use Destruction Value at time, less salvage, plus interest Dispossession Conversion damages Forced sale; Market price	Damages General measure: lost value Trespass Simple: Nominal; No injury Trespass + severance: lost value or conversion measure Trespass + damage: cost of repair or removal, or lost value Outlier: Home damages Encroachment : Continuing rental value; Forcible sale value	Damages Compensatory General : Non-economic: Pain & suffering, loss of enjoyment of life, anguish. Special : Economic: Med. expenses, lost earnings. Future loss still lump sum. Dead fit : Survival statutes for heirs, or wrongful death.	Damages Public figures Must prove malice, then presumed. (Pune OK) Private persons/ public figures must prove neglig. Actual neg'd. Privacy : No fault neces. Presumed damages. Puna avail. Invasion : Emotional anguish. No spec. neg.	Damages Fraud : Actual damages recovered. Conseq. OK & point of malice. May get benefit of bargain miss. Business Torts : Inducing breach: damage proportionate caused. Interference w/ advan. Probably too speculative. Trade libel: Spec. neg'd Misuse : Actual neg'd.
	Punitive Willful, wanton, malicious Nominal : No actual injury						
EQUITABLE	Replevin & Ejectment Legal remedies for actual dispossession	Quasi-K If A unjustly enriched by misappropriation of B's money	Self-Help Reasonable force to recapture chattel	Ejectment Legal remedy for ouster; Coupled w/ income damages	Not available. No benefit to defendant.	Not available. No benefit to defendant.	Fraud : Replevin & Restitution (less contracts) Inducing breach : Replevin is rarely used. Interference w/ advan : Benefit def. obtained.
	Quasi-Contract If tort gave A benefit Restitution money		Replevin Quasi-K	Quasi-Contract Severance: value as severed, or if A willful, improved value			
	Constructive Trust A must recover title	Constructive Trust If specific & traceable	Constructive Trust If thief obtains title & sells property	Generally not applicable because A does not have title	Not available. No benefit to defendant.	Not available. No benefit to defendant.	Fraud : Constructive trust may be imposed on property gained by fraud.
EQUITABLE	Equitable Lien Lien on D's Property	Equitable Lien If funds wrongfully or if not source of title	Equitable Lien If thief uses proceeds to improve her prop.				
	Injunctive Relief Permanent, Temp., TR0 Legal remedy inadequate 1. Speculative damages 2. Multiple suits danger 3. Irreparable injury 4. Prospective tort 5. Replevin or Ejectment difficult to enforce Balance the hardships Equitable defenses apply	Generally not applicable Equitable restitutionary remedies cover it.	Mandatory Injunction If chattel unique or damages & replevin are inadequate	Injunctive Relief Trespass Simple: To avoid multip. suits. Severance: OK. Land unique. Damage: A must repair Outlier: NO. Ejectment adeq. Encroachment : Land unique, damages inadeq., ejectment impract. Willful = no balance Nuisance : A inadeq. May not balance hardships if intentional Waste : OK to stop voluntary.	Rarely sought. Injury has already occurred.	Defamation Rare, as it would be prior restraint of free speech. However, declaratory relief may be the best protection of the interest involved. Invasion of Privacy Effective for continuing wrong. Damages inadeq. speculative & reparation.	Rare

RESTITUTIONARY

Remedies For Torts

M Walker



Remedies For Torts:

Remedies For Torts Book Review: Unveiling the Power of Words

In some sort of driven by information and connectivity, the ability of words has be much more evident than ever. They have the ability to inspire, provoke, and ignite change. Such could be the essence of the book **Remedies For Torts**, a literary masterpiece that delves deep into the significance of words and their effect on our lives. Published by a renowned author, this captivating work takes readers on a transformative journey, unraveling the secrets and potential behind every word. In this review, we will explore the book is key themes, examine its writing style, and analyze its overall impact on readers.

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