

1. Missing words. The full quotation from *Donoghue v Stevenson* is as follows:
"Who, then, in law is my neighbour? The answer seems to be - persons who are so closely and directly affected by my act that I ought reasonably to have them in contemplation as being so affected when I am directing my mind to the acts or omissions which are called in question".
2. Lord Atkin's statement from *Donoghue v Stevenson* was described in *Dorset Yacht Co v Home Office* as:
 - A. A statutory definition (No: Lord Reid in *Dorset Yacht* says that Lord Atkin's statement is not this).
 - B. A two-stage test based initially on foresight of harm. (No: this was the Anns' test).
 - C. **A statement of principle.** (Yes.)
 - D. A universal formula or yardstick. (No – in *Michael v Chief Constable of South Wales*, Lord Toulson says that the courts have never been able to find this.)
3. Which of the following situations would be most likely to be viewed by the courts as an omission carrying no duty of care?
 - A. A motorist does not signal when making a right turn.
 - B. An aircraft technician does not check the safety equipment on the plane before take-off.
 - C. **A man sees another man about to jump under a train, but does nothing to try and stop him.**
 - D. A surgeon fails to remove a small piece of surgical equipment from the patient's abdomen before finishing the operation.
4. Pairs

Everett v Comojo – duty of care for wrongs of third parties

Esso v Marden – duty of care for statements

The Allakmon – duty of care for pure economic loss

Vernon v Boseley – duty of care for nervous shock

Stovin v Wise – duty of care for omissions

Stansbie v Troman – duty of care for omissions

Lamb v Camden Borough Council – duty of care for wrongs of third parties

Dulieu v White – duty of care for nervous shock

Ross v Caunters – duty of care for pure economic loss

Chaudry v Prabkhar – duty of care for statements

5. Anna, a professional caterer, has an oven installed, but the installation is negligent and it catches fire. Which of the following is pure economic loss?

A Damage to the kitchen.

B The loss of profit whilst the kitchen is repaired and a new oven installed.

C The value of the ingredients of the food in the oven.

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RC Schank



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