

Seatbelt Hypo Worksheet (for use in class)

A turns left (from a stop sign); B (while drunk and speeding) swerves to avoid A; B (after crossing center line) strikes C; C is ejected (because not wearing seatbelt). B's car is damaged (\$1,000); C's car is damaged (\$10,000); C is killed (\$990,000). South Carolina law applies.

Before you complete this worksheet, you should have already (1) analyzed a claim by C's estate against A and B and (2) summarized your analysis.

Describe (and, where possible, calculate) the *maximum possible damages* that C could choose to recover from A or B given the following determinations of fault. As you know, C *might* not be able to recover the maximum from both A and B. State the assumptions that underlie your descriptions and calculations. Make your own scenario for #10 (below).

	Selected Jury Fault Determinations	C's Maximum Recovery from A	C's Maximum Recovery from B	Assumptions
1	A = 50% B = 50% C = 0%			
2	A = 40% B = 50% C = 10%			
3	A = 40% (& grossly negligent) B = 50% C = 10%			
4	A = 50% B = 40% C = 10%			
5	A = 25% B = 25% C = 50%			
6	A = 0% B = 40% C = 60%			
7	A = 0% B = 50% C = 50%			
8	A = 0% B = 50% C = 50% (for seatbelt nonuse)			
9	A = 20% B = 20% C = 50%			
10				

If you have time (or if you want more practice later), you should similarly analyze a claim by B against A and C.