

REMEDIES  
Spring 2015  
Prof. Brill

### INSTRUCTIONS

1. Questions #1-4 are each worth 5 points. Each should take approximately 15 minutes. Although you might be able to, and tempted to, write long answers, you should briefly and concisely develop the primary issues as requested in two or three quality paragraphs. **RETURN THE QUESTIONS.**
2. Your grade on the essay questions is based upon the context of your answers and the manner in which you communicate your knowledge. Grades may be lowered for essays that so violate fundamental rules of grammar and style that the reader's ability to comprehend the content is impaired. The questions will be graded on the quality of analysis, thought and conclusions, not on the number of words.
3. The 80 multiple choice questions are worth 80 points. Answer them and **return the questions.**
4. The multiple choice questions are to be answered on the scantron. **FAILURE TO RETURN THE MULTIPLE CHOICE QUESTIONS WILL RESULT IN FAILURE IN THE COURSE.**
5. You may use the Arkansas Statutory Supplement to complete this examination. You may also use the back of the supplement or a comparable number of pages for other written materials.
6. Put everything (multiple choice questions, pencils, scantrons, qualification sheets, essay answers in the box at the front of the room at the time posted at the front of the room.

Remedies  
Essay Question #4  
Spring 2015

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Student exam number

4. In January 2015 an 18 wheeler filled with explosives left the Longhorn Truck Company in Beaumont, Texas. When the truck was on I-30, near Arkadelphia, Arkansas, the company headquarters sent an urgent message: "Cargo may explode. Park truck and exit immediately!" The driver pulled into Charlie's Truck Stop at Exit 56; stopped on a parking pad 50 yards from the station; the government authorities ordered the station closed and all people evacuated from a 200 yard radius. The situation received state wide attention in the media, focusing on Charlie's Truck Stop.

Two days later the explosives were safely drained, and Charlie's reopened. No people were injured, and no real or personal property was damaged. (The truck was owned by Longhorn Truck Company).

Charlie's seeks damages from Longhorn Truck Company for its allegedly negligent operation of the truck. It claims (1) actual lost profits for two days; (2) damage to its business reputation; and (3) the change in the fair market value of Charlie's Truck Stop.

Under the governing law, is Charlie entitled to recover? (Note: the dollar amounts are unimportant).

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