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2009] THREE ARGUABLE MISTAKES 1009 The Harm Would Not Have Occurred Absent The Conduct.”¹¹ The But- For Test Is Dominant¹² Because It “corresponds With Our Intuitive Concept Of Causation.”¹³ On This View, “[b]ut For’ Is An Absolute Minimum For Causation Because It Is Merely Causation In Fact.”¹⁴ “Any Standard Less Than But-for . . . Simply Represents A Decision To Jan 1th, 2024

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Flooding Are Torts, Not Takings, And Those That Are Characterized As Takings May Only Be Successful If A Reasonable Investment-backed Expectation In A Lawful Activity Or Development Is Adversely Affected Such That The Landowner Has Experienced Greater Losses Than Gains At The Hands Of The Government. 13. Ark. Game & Fish Comm'n V. Apr 4th, 2024

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In J. DODGE, THE LOGIC OF TAX 107-17 (1989). This Piece Is Not To Be Confused With Bertram Harnett, Torts And Taxes, 27 N.Y.U. L. REV. 616 (1952), Or With Robert J. Henry, Torts And Taxes, Taxes And Torts: The Taxation Of Personal Injury Recoveries, 23 Hous. L. REV. 701 (1986). 1 I.R.C. § 104 (1988 & Supp. 1990). Jan 1th, 2024

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Playing Conditions Will Not Be Discussed In This Piece. 3. See Supra Note 1 For

Scholarly Works Discussing The Legal Issues Involved In Co-participant Injury Liability. 1990] 3 Lazaroff: Torts & Sports: Participant Liability To Co-participants For Inju Published By Institutional Repository, 1990 Apr 7th, 2024

Restatement (Second) Of Torts § 525 Liability For ...

B. Misrepresentation Defined. “Misrepresentation” Is Used In This Restatement To Denote Not Only Words Spoken Or Written But Also Any Other Conduct That Amounts To An Assertion Not In Accordance With The Truth. Thus, Words Or Conduct Asserting The Existence Of A Fact Constitute A Misrepresentation If The Fact Does Not Exist. Illustration: Mar 1th, 2024

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Of This Piece. 66 BROOKLYN LAW REVIEW [Vol. 78:1 Speech Doctrine Continues On Its Current Trajectory, It Will Force The Abolition Of These Torts, In Practice If Not In Theory. However, Interposition Of The Ninth Amendment, Which Prohibits Construction Of The First Amendment To Disparage Apr 2th, 2024

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