

Case Analysis

Dave is a driver for Empire Courier Service. Around the company, Dave is known as sort of a hothead. During his previous employment at another company, Dave had been involved in a workplace fistfight with a fellow employee, resulting in criminal charges.

One day, between deliveries and in a company vehicle, Dave decides to get lunch. While leaving the parking lot at Big Burrito Bistro, the favorite lunch spot for most Empire Courier employees, Dave negligently causes a car accident with another vehicle, resulting in injuries to Victor, the driver of the other car. As Dave and Victor are waiting on the side of the road for the police to arrive, Victor comments to Dave, "Oh, you drive for Empire Courier Service. It doesn't surprise me that Empire hires bad drivers because their service stinks, and their prices are too high!" Dave is so offended that Victor would insult his employer's professional reputation that he punches Victor in the face, causing Victor to suffer even more injuries. Empire Courier Service does not, as a matter of policy, do criminal background checks on its employees.

Considering the legal principles discussed in Chapter 20, explain who is liable for Dave's negligence for causing the car accident, and explain who is liable for Dave's intentional tort for punching Victor. Provide your answers in a case analysis of a minimum of 500 words. Cite any direct quotes or paraphrased material from outside sources. Use APA format.

Information about accessing the grading rubric for this assignment is provided below.