



Mass Torts

Course Description

The Mass Torts course explains the procedures of civil actions that are based on a single narrative that causes damage to many people. These may include defective products, prescription drugs with undisclosed side effects, plane or mass transit accidents, and the like. The course focuses on the two major methods of bringing forward mass tort clauses: class action lawsuits and multidistrict litigation.

Course Learning Outcomes

At the completion of this course, students will be able to:

- Describe the process of initiating a class action lawsuit and the requirements to be considered a “class”;
- Articulate the differences between mass accident cases, toxic tort cases, and other mass tort cases;
- Explain how the Class Action Fairness Act of 2005 impacted mass tort litigation;
- Describe the tools multidistrict litigation judges have to oversee resolutions of cases.

Final Exam

Grades and credit recommendations are based solely on a final exam. When students are ready to take the final exam, they should register for a LawShelf account (or simply log in, for those with existing accounts). Go to the video-course page and click “Take the Final Exam” and pay the exam fee, where applicable. Students will be given instructions on how to take the exam. All exams are proctored by the Voice Proctor® proctoring system. An overview of the system is [provided here](#) and it requires no training or learning curve. Grades of 70% or above are considered passing grades and qualify for recommended transfer credit.

The final exam is based on the video course modules. Additional resources detailed in this syllabus are helpful for background and for building greater understanding of the course materials. Inquiries can be made through the LawShelf Contact form on our website by clicking the “email us” button that appears at the bottom of most LawShelf pages. Transcripts can be ordered via Parchment, as detailed on our website.

Case Studies

Many LawShelf video courses include case studies. These do not necessarily teach

new material but are meant to demonstrate how the materials covered in the course are applied by various courts. Concepts covered in the case studies are covered on the final exam, so make sure to watch the case studies before taking the exam. However, it is unnecessary to memorize the facts and details of the cases covered in these case studies.

Self-Quizzes

Video-course modules and case studies feature self-quizzes that consist of practice questions on the materials covered in the videos. These questions are presented for the benefit of the student and are **important to review before taking the final exam** because they are similar in style and substance to the questions on the final exam. These quizzes are not graded or monitored and there is no record of how students answer these questions. Students may answer these questions as many times as they like and are encouraged to keep re-taking the quizzes until they have mastered all the questions.

Study Guide

Introductory Video

These videos provide background to help students better understand the main parts of the course, which are the video-course modules below.

Whether to Reform Tort Law: A Legal Analysis

<https://lawshelf.com/shortvideoscontentview/whether-to-reform-tort-law-a-legal-analysis/>

Courseware Readings

These courseware readings provide background to help students better understand the main parts of the course, which are the video-course modules below.

The following readings can be found in the “Foundations of Law” courseware, under Torts:

Factors Affecting Right to Sue

[Survival of Tort Actions](#)

[Derivative Suits for Family Members](#)

[Tort Immunity](#)

[Joint and Several Liability and Indemnity](#)

The following reading can be found in the “Foundations of Law” courseware, under Civil Litigation:

[Class Action Lawsuits](#)

Video Course Modules

These videos constitute the main part of the course and are they sources of the questions on the final exam.

Mass Torts Course Overview Video

<https://lawshelf.com/videocoursescontentview/mass-torts>

Introduction to Mass Torts Overview - Module 1 of 5

<https://lawshelf.com/videocoursesmoduleview/-introduction-to-mass-torts-overview-module-1-of-5>

Aggregation Through Class Action - Module 2 of 5

<https://lawshelf.com/videocoursesmoduleview/aggregation-through-class-action-module-2-of-5>

Multidistrict Litigation - Module 3 of 5

<https://lawshelf.com/videocoursesmoduleview/multidistrict-litigation-module-3-of-5>

Interplay Between Class Actions with Multidistrict Litigation - Module 4 of 5

<https://lawshelf.com/videocoursesmoduleview/interplay-between-class-actions-with-multidistrict-litigation-module-4-of-5>

Settlement and Trials of Mass Torts - Module 5 of 5

<https://lawshelf.com/videocoursesmoduleview/settlement-and-trials-of-mass-torts-module-5-of-5>

Case Study: Young v. Cree

<https://lawshelf.com/videocoursesmoduleview/case-study-young-v-cree>

Case Study: The Johnson & Johnson Talcum Powder Cases

<https://lawshelf.com/videocoursesmoduleview/case-study-the-johnson--johnson-talcum-powder-cases>

Additional Case to Read:

Ingham v. Johnson & Johnson

<https://www.courthousenews.com/wp-content/uploads/2020/06/jj-talcum.pdf>

(This is a parallel case related to the case study referenced above.)

Supplemental Suggested Readings

These materials enable students to achieve a deeper understanding of the course materials and in applying the course to real-life situations.

Mitra, Rhodes and Campbel, Ensuring Intellectual Rigor: Three Reasons for Amending the Expert Admissibility Standard

<https://www.americanbar.org/groups/litigation/committees/mass-torts/articles/2021/fall2021-ensuring-intellectual-rigor-three-reasons-for-amending-the-expert-admissibility-standard/>

Drug & Device Lawsuits

<https://www.drugwatch.com/lawsuits/>

Shaw & Barry, Case: The Ford Pinto

<https://philosophia.uncg.edu/phi361-matteson/module-1-why-does-business-need-ethics/case-the-ford-pinto/>

Pasciak and Angelino, Product Liability Claims We Expect to See as a Result of COVID-19

<https://www.americanbar.org/groups/litigation/committees/mass-torts/articles/2021/spring2021-product-liability-claims-we-expect-to-see-as-a-result-of-covid19/>