

Legal Research 2006

Session 2: American Law Reports and Legal Encyclopedias

In-Class Exercise 2D

Part 1: Using the **A.L.R. Index**, find the relevant annotation. Citations need not conform to Bluebook rules except in question 5.

1. Locate an annotation that discusses the tort of emotional distress based on fear of contracting HIV or AIDS. What is the citation?

Search Trail:

Acquired Immune Deficiency Syndrome

– Emotional Distress

or

Emotional Injury

-- Acquired Immune Deficiency Syndrome

59 ALR 5th 535

2. Examine the table entitled, “Jurisdictional Table of Cited Statutes and Cases.” What is the name of the case from Maryland?

Faya v. Almaraz, 329 Md 435 (1993)

3. Look at § 1[b] of the annotation. What is the citation of the first “related annotation”?

Transmission or risk of transmission of human immunodeficiency virus or acquired immunodeficiency syndrome as a basis for prosecution or sentencing in criminal or military discipline case. 13 ALR5th 628

4. Examine the pocket part in the back of the main volume. In what year was the pocket part issued? _____. Locate the supplemental information in the pocket part. Examine the supplemental information for § 8[a]. What is the name of the case from Mississippi that discusses actual exposure cases?

Central Regional Medical Center v. Pickering, 749 So. 2d 95 (Miss. 1999)

5. Provide the proper Bluebook citation for the annotation you identified in question 1 according to Rule 16.6.6.

Kimberly C. Simmons, Annotation, *Recovery for Emotional Distress Based on Fear of Contracting HIV or AIDS*, 59 A.L.R. 5th 535 (1998)

6. Using any volume of the A.L.R. Index, locate the “Annotation History Table” in the back of the volume. This table indicates whether an annotation is superseded or

supplemented by a subsequent annotation. Look up **11 A.L.R.4th 1118** and provide the citation of the annotation that supersedes it.

81 A.L.R.5th 245

Part 2: Using the **General Index** to **Am. Jur. 2d**, find the relevant encyclopedia topic and section. Citations need not conform to Bluebook rules except in question 11.

7. What is the full name of the topic and section number that discusses special damages for pollution?

Path: Pollution and Environmental Protection – Special damages ... Pollution Control § 2067-2071

8. Examine the topic and section you identified in question 7. Provide the name of the California case that discusses that deprivation of use and enjoyment of property can be considered in awarding special damages.

***Ingram v. City of Gridley*, 100 Cal. App. 2d 815, 224 P.2d 798 (1950). (§ 2067; footnote 90)**

9. What is the copyright date of the Am. Jur. 2d volume you are using?

1999

10. Examine the pocket part in the back of the main volume. In what year was the pocket part issued? **_May 2006_** Locate the supplemental information in the pocket part. What is the title of the *Arizona Law Review* article?

Toxic Torts and Emotional Distress: The Case for an Independent Cause of Action for Fear of Future Harm, 40 Ariz. L. Rev. 681 (1999).

11. Provide the proper Bluebook citation for the Am. Jur. 2d section you identified in question 7 according to Rule 15.8

61C Am. Jur. 2d *Pollution Control* § 2067 (1999).

