

# *Creative Writing Assignment*

WPL, Spring 2011

## **Student Instructions**

Pick one of the "characters" from the cases you read this week. (A list of characters follows.) Create a story about them. Anything. Back story from childhood, back story from minutes before an accident, what happened after the lawsuit was over, a character's relationship with his mother, a character's relationship with pizza. I don't care. You can write anything about the person as long as it fleshes them out, makes them human. You are going to have to create this story wholly out of your imagination, as there are little (or sometimes no) facts in the case to guide you.

Each student who participates will get an extra 10 points on the next practicum. The person with the best essay (as judged by a couple of friends/faculty) will earn an additional 5 points. Again, I don't care what you write, but please keep it clean. If I have to reject your paper because of inappropriateness, you'll receive no points. I also reserve the right to reduce points awarded if it looks as though you have expended no effort.

There is a chance that your essay, or part of it, may appear in an article in the future or may be discussed at a conference. If you object to my publishing your paper in this way, please state this in bold at the top of your paper. Whether you object or would be flattered, please put your name and e-mail address at the top of the paper.

**Length:** 1 to 2 pages double spaced, 12-point font.

**Due:** One hard copy and one e-copy by the beginning of class next week. Turn in a hard copy at the beginning of class, but feel free to send me your e-copy ahead of time.

**Characters:** The characters to choose from appear on the reverse page.

*Diebert v. Bauer Brothers Construction Company, Inc.*

1. **Clarence Diebert**, the electrician who was injured when he fell in a rut at a construction site. While he was in a portable bathroom on the site, a piece of heavy machinery drove by and created a rut just outside the door. As Diebert exited the bathroom, he looked up to watch for falling construction debris and fell into the rut. His award of \$277,200 was upheld.
2. **Mr. Bauer**, one of the owners of the defendant company. Bauer Brothers was the general contractor that controlled the site where plaintiff fell. The company allowed a portable bathroom to be placed just under a balcony from which construction debris was regularly thrown. On the date he was injured, Clarence Diebert worked for one of Bauer Brothers' subcontractors. The opinion contains no facts about Mr. Bauer.

*Bonner v. City of Chicago*

3. **Raymond Bonner**, the 72-year-old man who was injured when he tripped over a light pole base on a sidewalk. He was carrying \$4000 in cash in a paper bag as he walked towards his bank to make a deposit. He became nervous as two young men approached him. Because he was watching the men, he failed to notice the light pole base and tripped over it. Among other injuries, he fractured his shoulder, requiring surgery and preventing him from working. He lost his case and recovered nothing.
4. **City Supervisor** who authorized a worker to remove the light pole while allowing the base to remain on the sidewalk. The opinion contains no facts about this supervisor.

*Rexroad v. City of Springfield*

5. **The High School Coach** who told the football team's manager to go get a helmet for one of the players. The high-school-aged manager had to cross the practice field and a parking lot to retrieve the helmet. On his way back, he was focused on the players and fell in a hole in the parking lot that had been excavated when a fire hydrant was removed.
6. **High School Principal** at the time the manager was injured. The opinion contains no facts about the principal.