

Indexing/Classifying Headnotes - Bad Thanksgiving - Answer Key
Stacia Stein & Jordan Jefferson - 2020 RIPS-SIS Teach-In Kit

<p>HN1 Supermarket's giving away samples of pumpkin pie, which was covered with whipped cream, did not constitute an inherently dangerous activity imposing an extra duty of caution on the store, which was sued for injuries sustained by customer when, on the day before Thanksgiving, he slipped and fell on one such sample at a point some seven to ten feet from the sample tray; nor was such promotional activity so foreign to the operation of the market that it imposed a duty of extra caution. (531 P.2d 360)</p>	 <p>272Negligence 272XVIIPremises Liability 272XVII(C)Standard of Care 272k1075Care Required of Store and Business Proprietors 272k1076In General (531 P.2d 360)</p>
<p>HN2 Where the agent who sold cranberries stated they were bought for Thanksgiving trade and wrote that fact on the order, this was sufficient to justify a finding that they were ordered for Thanksgiving. (246 S.W. 703)</p>	 <p>343Sales 343XIActions 343XI(E)Weight and Sufficiency of Evidence 343k2731Terms of Contract; Rights and Obligations of Parties 343k2736Duties and expenses of transportation (246 S.W. 703)</p>

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<p>HN3 Where jury had deliberated for three hours without reaching a verdict, where the jurors stated that they did not believe that further deliberation would result in a verdict, where time for dinner had been reached and it was uncertain that a restaurant could be found that could accommodate all of the jurors, where the following day was Thanksgiving and court was worried that the women on the jury would worry about their chores to prepare for the following day's celebration and that a clergyman on the jury might have his congregation in mind, trial court did not err in declaring mistrial over defendant's objections, so that retrial of defendant did not subject him to double jeopardy. (369 A.2d 471)</p>	<p> 135HDouble Jeopardy 135HIVEffect of Proceedings After Attachment of Jeopardy 135Hk95Mistrial or Recusal 135Hk98Failure of Jurors to Agree (Formerly 110k185) (369 A.2d 471)</p>
<p>HN4 Prison dietician's act of serving meal on Thanksgiving including turkey stuffing which contained turkey meat was not deceptive and did not intrude on religious freedom of inmate whose religion proscribed eating meat. (654 N.E.2d 179)</p>	<p> 92Constitutional Law 92XIIIFreedom of Religion and Conscience 92XIII(B)Particular Issues and Applications 92k1421Prisons and Pretrial Detention 92k1425Diet; meals (654 N.E.2d 179)</p>
	<p> 310Prisons 310IIPrisoners and Inmates 310II(B)Care, Custody, Confinement, and Control 310k151Religious Practices and Materials 310k154Diet and meals (654 N.E.2d 179)</p>

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<p>HN5 In poultry farmer's action against turkey producer for breach of contract to process 24,000 turkeys before Thanksgiving, there was neither abuse of discretion nor error of law in trial court's assessment of damages based upon difference farmer would have received under the contract on the day after being informed of processor's breach and the amounts received by him after sale of 22,000 of the turkeys to another processor, plus loading costs normally borne by breaching processor. (408 A.2d 289)</p>	<p> 343Sales 343XRemedies 343X(B)Particular Remedies of Seller 343X(B)5Monetary Remedies of Seller 343k1988Resale Price 343k1991Particular Cases and Goods 343k1991(4)Animals and livestock (408 A.2d 289)</p>
	<p>343Sales 343XRemedies 343X(B)Particular Remedies of Seller 343X(B)5Monetary Remedies of Seller 343k2003Additional or Incidental Damages 343k2005Expenses connected with delivery, transportation, care, and custody of goods (408 A.2d 289)</p>
<p>HN6 Evidence that turkey seller received no complaints of illness before or after Thanksgiving period during which turkey was sold to buyers was irrelevant in buyers' action alleging negligence that caused salmonella. (353 S.E.2d 922)</p>	<p> 178Food 178k25Liability for Injuries 178k25.24Admissibility (353 S.E.2d 922)</p>

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<p>HN7 Differences between food available for inmate purchase in federal prison on special holiday list available between Thanksgiving and Christmas and more limited list of kosher-for-Passover food available for inmate purchase did not violate Jewish inmate's right to equal protection under the Fifth Amendment; prison's stated penological interests in limiting a small group of inmates' access to special goods to avoid hoarding and illegal trade, and in the efficient financial operation of prison commissary, were logically advanced by offering a smaller number of "best sellers" for sale on Passover. (551 F.Supp.2d 149)</p>	<p> 92Constitutional Law 92XXVIEqual Protection 92XXVI(B)Particular Classes 92XXVI(B)9Religion 92k3337Criminal Law 92k3341Sentencing and Punishment 92k3341(2)Prisons and other confinement (551 F.Supp.2d 149)</p>
	<p> 310Prisons 310IIPrisoners and Inmates 310II(B)Care, Custody, Confinement, and Control 310k151Religious Practices and Materials 310k154Diet and meals (551 F.Supp.2d 149)</p>