

IRAC: Jolly Trolley
Danielle A. Adams
Feb. 11, 2015

- Issue:** Is Benjamin's employer, the Jolly Trolley Co., liable for Benjamin's injuries? Is the Jolly Trolley Co. liable for Benjamin's 4 months unpaid wages?
- Facts:** Benjamin was a driver and tour guide with Jolly Trolley Co. His salary was \$1200 a month. Benjamin took his friends on a tour during off-duty hours last July. During the tour, Benjamin lost control of the trolley, and it smashed into a building. The trolley was destroyed, and Benjamin was injured. Jolly Trolley fired him and then sued Benjamin for destruction of the trolley. Benjamin believes the trolley malfunctioned and wants to sue Jolly Trolley for his injuries as well as for his last four months' wages, which were not paid.
- Rule of Law:** 1.) Code, § 114-102: In order for an injury to be compensable under the terms of the Workmen's Compensation Act, it must have been occasioned "by accident arising out of and in the course of the employment."
2.) OCGA § 34-9-17 is as follows: "Workmen's compensation shall not be allowed for an injury or death due to the employee's willful misconduct..."
- Analysis:** In the instant case, Benjamin was in commission of a traffic violation when he destroyed property at the time of the accident and his injury a direct result therein. Benjamin was not performing duties pursuant to his employment at the time of the accident. In New Amsterdam Cas. Co. v. Summrell, an injury arises "in the course of employment," within the meaning of the Workmen's Compensation Act, when it occurs within the period of the employment, at a place where the employee reasonably may be in the performance of his duties, and while he is fulfilling those duties or engaged in doing something incidental thereto. An accident arises "out of" the employment, when it arises because of it, as when the employment is a contributing proximate cause. This and the condition stated above must concur before the act can apply. New Amsterdam Cas. Co. v. Summrell, 30 Ga. App. 682, 118 S.E. 786 (1923). In Aetna Cas. & Sur. Co. v. Horne, the court upheld a denial of benefits from the claimant because "in this kind of a case the burden is on the claimant to prove that the injury for which compensation is sought arose out of and in the course of the employment before compensation can be awarded legally to the claimant. Aetna Cas. & Sur. Co. v. Horne, 71 Ga. App. 569, 31 S.E.2d 421, 422 (1944). Benjamin willfully violated

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Online Resources The book is accompanied by online resources including a case breakdown to help students with reading cases frequently asked questions and some tips on citation styles and conventions

Penetrating Bars through Masks of Cosmic Dust David L. Block, Ivânio Puerari, K. C. Freeman, R. Groess, Elizabeth K. Block, 2013-04-17 THE EDITORS DAVID L BLOCK AND KENNETH C FREEMAN SOC CO CHAIRS IVANIO PUERARI ROBERT GROESS AND LIZ K BLOCK 1 Harvard College Observatory 1958 The past century has truly brought about an explosive period of growth and discovery for the physical sciences as a whole and for astronomy in particular Galaxy morphology has reached a renaissance The year 1958 The date October 1 The venue Harvard College Observatory The lecturer Walter Baade With amazing foresight Baade penned these words Young stars supergiants and so on make a terrific splash lots of light The total mass of these can be very small compared to the total mass of the system Dr Layzer then asked the key question the discussion raises the point of what this classification would look like if you were to ignore completely all the Population I and just focus attention on the Population II We stand on the shoulders of giants The great observer E E Barnard in his pioneering efforts to photograph the Milky Way devoted the major part of his life to identifying and numbering dusty holes and dust lanes in our Milky Way No one could have dreamt that the pervasiveness of these cosmic dust masks not only in our Galaxy but also in galaxies at high redshift is so great that their penetration is truly one of the pioneering challenges from both space borne telescopes and from the ground

Law School Exams Charles R. Calleros, 2007 Well written and highly accessible this concise paperback guides law students step by step through procedures

that will help them take exams successfully the author's style is accessible and reassuring recognizing that law students operate under severe time constraints he makes his points clearly and concisely starting with creative examples and illustrations in familiar nonlegal contexts the author introduces students to new concepts by analogy and then advances to more complex legal examples exercises and practice exams with a focus on essay questions and model answers help students identify their strengths and weaknesses plan strategies and organize their efforts the author addresses techniques for maximizing scores on several types of essay questions as well as on multiple choice and other objective questions the author helps students understand why the typical law school essay question requires a balanced analysis with arguments for both sides rather than identification of a clear answer assignments and exercises facilitate active learning In addition to teaching students analysis and exam taking skills *Law School Exams Preparing and Writing to Win* addresses exam anxiety with a helpful positive perspective The author helps students understand that a small degree of anxiety can serve as a productive motivator helps students learn how to reduce anxiety to a productive level by placing exams into proper perspective by preparing thoroughly and by adopting stress management techniques such as stretching meditation or motivational music

Probing Galaxy Evolution by Unveiling the Structure of Massive Galaxies Across Cosmic Time and in Diverse Environments Timothy Weinzierl, 2014-07-17 Awarded the American Astronomical Society AAS Rodger Doxsey Travel Prize and with a foreword by thesis supervisor Professor Shardha Jogee at the University of Texas at Austin this thesis discusses one of the primary outstanding problems in extragalactic astronomy how galaxies form and evolve Galaxies consist of two fundamental kinds of structure rotationally supported disks and spheroidal triaxial structures supported by random stellar motions Understanding the balance between these galaxy components is vital to comprehending the relative importance of the different mechanisms galaxy collisions gas accretion and internal secular processes that assemble and shape galaxies Using panchromatic imaging from some of the largest and deepest space based galaxy surveys an empirical census of galaxy structure is made for galaxies at different cosmic epochs and in environments spanning low to extremely high galaxy number densities An important result of this work is that disk structures are far more prevalent in massive galaxies than previously thought The associated challenges raised for contemporary theoretical models of galaxy formation are discussed The method of galaxy structural decomposition is treated thoroughly since it is relevant for future studies of galaxy structure using next generation facilities like the James Webb Space Telescope and the ground based Giant Magellan Telescope with adaptive optics

Geological Survey professional paper Geological Survey (U.S.), Geological Survey (U.S.). Geographic Names Information Management, 1987* **A+ Guides to Legal Studies Boxed Set** Alison Plus, 2016-11-30 Legal writing can be challenging for many reasons The language is complex the concepts are even more complex and you will be expected to manipulate both the language and the complex while adhering to specific writing formats But there is help available The Legal Studies Boxed Set contains the three Alison Plus Guides to Writing for the three types of legal documents most legal

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Photometric Redshifts and High Redshift Galaxies Ray J. Weymann, 1999 The 52 papers respond to the explosion of the search for and discovery of high redshift galaxies and the application of broad band photometry to obtain remarkably reliable estimates of the redshifts of galaxies at all redshifts spurred not only by the Hubble Deep Fields but also by the advent of wide field CCDs on ground based telescopes and the development of sensitive infrared submillimeter and millimeter instrumentation They discuss techniques findings and integrating new data into existing models of galaxy formation and evolution

The Properties of Star-Forming Galaxies at $Z \sim 2$ Dawn Erb, 2005 We study the properties of star forming galaxies at redshift $z \sim 2$ an era in which a substantial fraction of the stellar mass in the universe formed Using 114 near IR spectra of the H alpha and N II emission lines and model spectral energy distributions fit to rest frame UV through IR photometry we examine the galaxies star formation properties dynamical masses and velocity dispersions spatially resolved kinematics outflow properties and metallicities as a function of stellar mass and age While the stellar masses of the galaxies in our sample vary by a factor of 500 dynamical masses from H alpha velocity dispersions and indirect estimates of gas masses imply that the variation of stellar mass is due as much to the evolution of the stellar population and the conversion of gas into stars as to intrinsic differences in the total masses of the galaxies About 10% of the galaxies are apparently young starbursts with high gas fractions caught just as they have begun to convert large amounts of gas into stars Using the N II H alpha ratio of composite spectra to estimate the average oxygen abundance we find a monotonic increase in metallicity with stellar mass From the estimated gas fractions we conclude that the observed mass metallicity relation is primarily driven by the increase in metallicity as gas is converted to stars The picture that emerges is of galaxies with a broad range in stellar population properties from young galaxies with ages of a few tens of Myr stellar masses $M \sim 10^{10} \text{ DEGREES } 9 \text{ Msun}$ and metallicities $Z \sim 1/3 \text{ Zsun}$ to massive objects with $M \sim 10^{11} \text{ DEGREES } 11 \text{ Msun}$ $Z \sim \text{Zsun}$ and ages as old as the universe allows All however are rapidly star forming power galactic scale outflows and have masses in gas and stars of at least $10^{10} \text{ DEGREES } 10 \text{ Msun}$ in keeping with

their likely role as the progenitors of elliptical galaxies *Neutrinos and Explosive Events in the Universe* Maurice M. Shapiro, Todor Stanev, John P. Wefel, 2006-01-26 Neutrinos and Explosive Events brought together experts from diverse disciplines to offer a detailed view of the exciting new work in this part of High Energy Astrophysics Sponsored by NATO as an Advanced Study Institute and coordinated under the auspices of the International School of Cosmic Ray Astrophysics 14th biennial course the ASI featured a full program of lectures and discussion in the ambiance of the Ettore Majorana Centre in Erice Italy including visits to the local Dirac and Chalonge museum collections as well as a view of the cultural heritage of southern Sicily Enri ment presentations on results from the Spitzer Infrared Space Telescope and the Origin of Complexity complemented the program This course was the best attended in the almost 30 year history of the School with 121 participants from 22 countries The program provided a rich ex rience both introductory and advanced to fascinating areas of observational Astrophysics Neutrino Astronomy High Energy Gamma Ray Astronomy P ticle Astrophysics and the objects most likely responsible for the signals plosions and related phenomena ranging from Supernovae to Black Holes to the Big Bang Contained in this NATO Science Series volume is a summative formulation of the physics and astrophysics of this newly emerging research area that already has been and will continue to be an important contributor to understanding our high energy universe **IRAC** ,1983 *Astronomy and Astrophysics* ,2009 *Publications of the Astronomical Society of Japan* Nihon Tenmon Gakkai,2008 *Cosmic Frontiers* Nigel Metcalfe, Thomas Shanks,2007 These proceedings of an international conference held during July August 2006 in Durham UK provide a comprehensive up to date overview of recent observational breakthroughs from the present generation of astronomical surveys and what they imply for theories of galaxy formation and cosmology Starting in the early Universe with the observations of the microwave background the evidence for the standard cosmological model provided by the WMAP satellite is reviewed It is the exquisite balance between the impressive fit to the microwave background temperature fluctuations provided by the standard model and its requirements for finely tuned dark energy and a still undetected Cold Dark Matter particle that makes this such an exciting moment in cosmology Other pieces of evidence for the standard model are also reviews these include the form of large scale galaxy clustering from the extensive 2dF and SDSS surveys and also the Type Ia supernova Hubble diagram all of which involved heroic astronomical efforts in surveying the sky The conference then looks at the deeper surveys now aimed at understanding the processes of galaxy formation and evolution Here there appears to be considerably less support for the standard model In particular massive early type galaxies appear to be old and also to have been in place at high redshifts This evolutionary behavior does not arise naturally from the standard model and the proceedings review ways of reconciling such observations with theory Thus the 15 invited reviews 29 contributed talks and 39 poster papers combine to provide a state of the art snapshot of the observational questions set by survey astronomy for theories of cosmology and galaxy formation The book is suitable for researchers and graduate students interested in both theoretical and observational aspects

of survey astronomy galaxy formation and cosmology publisher s website At the Edge of the Universe: Latest Results from the Deepest Astronomical Surveys José Afonso,2007 This volume contains the proceedings of an international conference held in October 2006 in Sintra Portugal on the recent results from the deepest astronomical observations of the Universe Focused on the latest observational developments in galaxy and structure formation and evolution as given by the use of the most powerful telescopes working throughout the electromagnetic spectrum the conference assembled some of the most active researchers in the field The ninety eight contributions included in this volume represent the state of the art of research covering such topics as the first billion years of galaxy formation probing the reionization epoch obscured galaxy populations and their role in galaxy evolution early AGN activity the star formation and mass assembly history of the Universe massive galaxies at high redshift and the metallicity history of galaxies A particular emphasis is given to the unification of the different views given by observations at different wavelengths making the books a valuable reference for researchers and graduate students interested in the exploration of the distant universe publisher s website Relativistic Astrophysics Carlo Luciano Bianco,She-Sheng Xue,2008-01-18 All papers have been peer reviewed This is a conference for physicists in particular from China and Italy to present their most recent research works on both theoretical and observational aspects of Relativistic Astrophysics The conference topics cover the following research fields gamma ray bursts galactic dynamic and survey dark matter dark energy and high redshift universe black holes neutron stars and supernovae general relativity classical and quantum gravity and field theory Some exciting breakthrough discoveries annouced at the conference were The new classification of fake short GRBs new results on neutron stars electrodynamics the process of thermalization of an electron positron plasma and the pair production rate in non uniform electric fields *Learning Legal Research* Charles P. Nemeth,Hope I. Haywood,2005 Using a hands on approach this book provides learners with an easy and comfortable way to learn about the processes materials and environment of legal research It contains an introductory overview of a law library collection allows users to conduct research without visiting an actual library and explains with simple language and exercises the many methods of legal research For all law office personnel paralegals judicial personnel and criminal justice instructors **Bulletin of the Atomic Scientists** ,1995-03 The Bulletin of the Atomic Scientists is the premier public resource on scientific and technological developments that impact global security Founded by Manhattan Project Scientists the Bulletin s iconic Doomsday Clock stimulates solutions for a safer world **Monthly Catalog, United States Public Documents** United States. Superintendent of Documents,1973 February issue includes Appendix entitled Directory of United States Government periodicals and subscription publications September issue includes List of depository libraries June and December issues include semiannual index

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