

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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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

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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 α 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 α 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 α 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 $M \sim 10^9$ $M_{\odot}$ and metallicities $Z \sim 0.3 Z_{\odot}$ to massive objects with $M \sim 10^{11}$ $M_{\odot}$ $Z \sim Z_{\odot}$ 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} $M_{\odot}$ in keeping with their likely role as the progenitors of elliptical galaxies **Geological Survey professional paper** Geological Survey (U.S.), Geological Survey (U.S.). Geographic Names Information Management, 1987* **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

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