

CHAPTER 20 ACTIVITY
Analyzing

Directions: Read the case study below, and then answer the questions that follow.

Gina and Robin meet at a party and immediately hit it off. After several weeks of dating, Gina and Robin have unprotected sex. Robin fails to tell Gina that he has herpes, a sexually transmitted disease. Gina gets herpes from Robin.

1. Did Robin have a duty to tell Gina that he has herpes prior to having sexual relations with Gina? What are your reasons?

2. Assuming there is a duty, how, if at all, did Robin breach that duty?

3. Assuming duty and breach, did Robin proximately cause injuries to Gina? Explain your answer.

4. What injuries, if any, did Gina suffer?

5. What defenses, if any, does Robin have?

6. Should Robin be liable to Gina for failing to disclose that he has herpes? Give your reasons.
