
Doctrine Proximate Cause Last Clear

doctrine of proximate cause-the application of commonsense - proximate cause, all causes preceding the proximate cause being rejected as too remote. the doctrine of proximate cause, which is common to all branches of insurance, must be applied with good sense so as to give effect to and not to defeat the intention. **the principles of insurance proximate cause** - the last cause could simply be a link in the chain connecting the event with the proximate cause. for example, a fire might cause a water pipe to burst. despite the resultant loss being water damage, the fire would still be the proximate cause of the incident. 8.3 burden of proof in relation to proximate cause in the majority of claims, the cause is obvious and so it is relatively easy to ... **last clear chance: a transitional doctrine - yale law school** - last clear chance: a transitional doctrine by fleming james, jr. the rule that a plaintiff, though negligent himself, may nevertheless recover from a defendant who had the last clear chance to avoid **the last clear chance doctrine in louisiana - an analysis ...** - last clear chance does not apply until it is shown that both plaintiff and defendant were negligent and their negligence was a cause of the ensuing injury. **mark f. grady* - ucla law review** - 294 50 ucla law review 293 (2002) introduction no common law doctrine is more puzzling than the proximate cause limitation on negligence liability. **efficient proximate cause: is california headed for a ...** - insurance law—property insurance: adopting the efficient proximate cause doctrine, but saying no to contracting out of it, 79 n.d. l. rev. 561, 564–72 (2003). 9. **the doctrine of 'the last clear chance' - st. john's ...** - y. supp. 622 (1st dept. 1912) (the last clear chance doctrine does not apply unless the character of the accident is such that it can fairly be said that the negligence of the injured person was not its proximate cause). **sudden emergency and last clear chance: whose fault is it?** - is found to have been the proximate cause of the accident.10 the doctrine only applies where there is a sudden and unexpected occurrence of a transitory nature which 7 abramova v. **super storm sandy and the inevitable issues with anti ...** - on the other hand, in jurisdictions that employ the doctrine of efficient proximate cause (discussed further below) to determine if there is coverage for a loss, the leading or predominant cause of loss will determine coverage.

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