**Essay Question**

Claims Regina George can file against Cady Heron: George has the civil right to either file or not file against Heron. George will be utilizing torts and suing Heron for a variety of claims.

Defamation

Regina George can file for defamation against Cady Heron. Being that Regina George is a present public official, who is relying on her reputation to secure her bid in the US Senate, the false claims spoken by Ms. Heron are damaging. However, since George is in a public official position she must show that Heron acted with actual malice. Heron acted maliciously because she hit George’s car and additionally ran way after the accident. Heron was in George’s hometown, so there is reasonable expectation that Heron knew George and spoke against her maliciously. Additionally there are two types of defamation that George can file.

Libel

Libel is written form of defamation. The next day Heron published a report on the incident with George in a newspaper. This is written defamation because it caused a negative affect on George’s reputation and career. The article written by Heron claims that Regina was in a “drunken stupor”. To sue Heron, George will have to prove that Heron acted with actual malice. George can prove that she was not drunk at the event, additionally Heron had no interaction with George to factually show that George was drunk. This is a false claim that Heron did not attempt to clear with facts. In the report Heron also said that George backed into Heron’s car. Again, Heron acted with actual malice because facts show that it was Heron who rear-ended George. Heron failed to find truth and disclose all the facts of the incident. In the report Heron also says that George caused “severe injuries”. Again Heron fails to attempt to find actual facts, she does not speak to George about and injuries, again she acted with actual malice while writing damaging statements on George. George is a public figure and is severely hurt by the accident caused by Heron, both professionally in her campaign, and physically in the pain she felt after the accident caused by Heron. George can successfully sue against Heron for libel.

Slander

Slander is the spoken form of defamation. George can sue Heron for slander because of the statements Heron made immediately after the accident. Heron yelled “you’re a terrible person Regina”. George has to prove that Heron acted with actual malice because she is still a public figure, in or out of her hometown. Heron did not speak to George, or even stick around after the accident to gather facts. Heron spoke out and ran away immediately after the accident. Since George is a public figure whose career relies on her reputation, she is a politician so damaging comments on her personality and her as a person are very serious. Heron is expected to know who George is because she is on campaign and in her hometown, so she acted to cause damages on her. This claim would be successful against Heron.

Battery

Battery is the unlawful and offensive attack on a person. Heron physically hurt George’s car. She unlawfully rear-ended the vehicle, which caused George to have physical pain. Heron’s car is her property and therefore she caused a physical attack on George. George experienced physical pain as a result from the accident. George could rightfully sue Heron for battery.

Assault

Assault is the immediate threat or apprehension of threat by force or fear. George can sue Heron for assault by saying that Heron caused immediate fear in her when she hit her car. This caused immediate threat to George because she was in an accident and then got yelled at by Heron. Heron caused serious fear in George in the accident. George could successfully sue Heron for assault.

Assault with a Deadly Weapon

Similarly Heron hurt George with her property, her car. Heron’s car is a deadly weapon because of the damage it can cause a person. Heron hit Regina’s property, her car, and caused physical pain on George. George can sue Heron for assaulting her with a deadly weapon and she could be successful.

Homicide

Homicide is the unlawful killing with malice aforethought. Heron hit George’s car, which could serve as her intention and method to kill George. Since, George did not die from the accident, so this would not succeed.

Robbery

Robbery is the unlawful taking of an item from another by force or fear. George could sue Heron for robbery. George could argue that Heron used force from her car to provoke fear in her. Heron could have been planning to take items from George because she knows she is a well-off politician. Since Heron did not take any items from Heron, this claim would not be successful.

Felony Murder Rule

Felony murder rule states that while in commission of a felony and a homicide results, by common law rule you are on the hook for first degree murder. Heron was not acting in a felony, and a homicide did not result. George would be unsuccessful with this claim.

To conclude George has a great chance of successfully filing a variety of torts against Heron.