Essay

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**Essay 1**

**Assignment #1**

**Negligence**: – Labodor Retriever dog was killed by the tractor driver due to negligence.

           Liability is misconduct, sometimes require some degree of intentional conduct, put differently, or it may be some degree of fault and make someone responsible for some act. Moreover, negligence is a failure to take care of anything which can affect anybody or anything where the plaintiff (the person who experienced injury or damage) has a duty of care to the defendant (the person upon whom case issued). Negligence creates due to carelessness in unforeseen circumstances, and negligent is responsible to take reasonable step to prevent damages and injuries. In some cases, the person is not responsible for the negligence, but he is held liable for the negligence and liability is imposed on that person. Strict liability is imposed on a person who is responsible for an accident.

**Facts**

Marine Veteran was suffering from PTSD, he was provided with Labrador Retriever to cope with his new civilian life after the tragedy faced at wartime. Labrador Retriever was a trained dog for his salvation. The dog was having the sense to understand the aggression and tension of the client and intuitively calm down by drawing attention. He was attached with a dog for 18 months. A tractor drive killed the dog while he was texting while driving. The plaintiff claims that the dog saved his life and help him to adjust in his new civilian life. The tractor driver was an employee of a very large organization, which spent millions of dollars in its insurance policy. The worth of a dog is $2000 and the years were spent on its training. The plaintiff loves his dog so much and that dog devasted his life from the tragedy of wartime.

**Issue**

Can the defendant utilize the negligence per se agreement to avoid the liability? Should that issue be handed over to jury or court determined the violation of a statute to be negligence per se?

**Holding**

The tractor driver can be alleged for driving on road with negligence and he could be accused of “negligence per se”.

**Rationale**

The decision was made by the court on a question of sufficiency of the evidence and find out whether the plaintiffs have sufficient evidence to appeal in court. An Appellate division and jury have believed upon the facts established on the trial of the action, and the defendant is entitled to recover which should be approved by the appellate division. The defendant could be charged against his negligence on not keeping his tractor on the right path while driving (Highway Law, sec. 286, sub. 3; sec. 332; Consol. Laws, Ch. 25). It was not only negligence, but it was also contributory negligence. The driver was driving the tractor while texting, negligence could be charged against the tractor driver (Highway Law, sec. 329a, as amended by L. 1915, Ch. 367). According to law, it is neglected conduct of tractor driver to drive a tractor while texting.

**Assignment #2**

Statistics is a mathematical science which includes collection, organization, and analysis of data to draw a meaningful conclusion from them. It is very essential in the field of psychology, science, medicine, education and others. Government agencies use statistics to make decisions about education, health, and population. It is used by the state to make an estimate about the population by conducting a regular census which gives detailed information about the population. The state takes information about the specific characteristics of people living in the countries and analyzes them by using different statistical tools and techniques. Various measures of statistics are used by economists to measure the level of economic development in other countries,which gives suggestion about the economic policies in the home country. For Research and Development (R&D), statistics is used in the field of medicine and science to analyze the effectiveness of medicines and the reaction of the human body on specific drugs(Gravetter & Wallnau,2016). Medical professionals also conduct studies on the basis of diversity which includes race, age, and nationality to analyze the impact of these characteristics on health. It is also used to analyze the possibility for transmission of diseases from genetics to a newly born baby. The doctors use this information and take immediate measure to stop the effects of any genetic disease. The systematic study of human behavior in psychology can only be analyzed through statistics.

Teachers use many statistical techniques to analyze the performance of students in the classroom. Every field of the researcher which includes, Management Sciences, Engineering, IT uses statistical techniques in research to analyze the results(Pyrczak, 2016). Banks use statistical techniques to analyze the insurance value of a commodity. The results give information about the money that should be charged by the bank to its customer in the case of mortgage property. News channels of media use forecasting statistical techniques to know about the results of elections. In stock exchanges, brokers and investors use statistical techniques to forecast the trends of the market. Investors make an investment decision on the basis of these forecasting in the stock market. Many large companies use various statistical techniques to sort out the issues related to customer services, employees and products. The success of business only depends upon the right decision making of higher management through data analysis. Leading retailer use statics to know about the status of products and analyze the remaining and sold the stock of their marts. Statistical techniques are useful for organizations, government, and Institutions that are to analyze and solve the problems in various stages of their daily routine of activities.

**References**

Gravetter, F. J., & Wallnau, L. B. (2016). *Statistics for the behavioral sciences*. Cengage Learning.

Pyrczak, F. (2016). *Making sense of statistics: A conceptual overview*. Routledge.