In writing your intake memo, assume that the following principles of law apply.

**Negligence**
- The elements of a negligence claim, which a plaintiff must prove, are as follows: 1) existence of a duty; 2) breach of that duty; 3) damages; 4) causal relationship between the breach and the damages.
- Drivers have a duty of reasonable care. If they fail to exercise reasonable care, they may be liable for negligence.
- When one driver rear-ends another, negligence on the part of the rear-ending driver is assumed.

**Damages**
- The following types of damages are recoverable in a car accident case: 1) medical expenses; 2) future medical expenses; 3) pain and suffering; 4) mental anguish; 5) lost wages; 6) lost earning capacity; 7) loss of consortium; 8) property damage.