

2. If you conducted research in print, were any of the cases you listed for Question C1, above, summarized in the pocket part or cumulative supplement? If so, list the case(s). If not, answer “no.” If you conducted research with Westlaw, answer “not applicable.”
- D. Look up one case you listed for Question C1, above, in Westlaw or the appropriate print reporter.
1. Briefly describe the facts of the case. (Hint: If the case is long, focus on the facts relevant to nuisance.)
  2. Using only this case, explain briefly whether Ms. Westerfeld is likely to be able to show interference with her property sufficient to constitute a nuisance. (Hint: You may not be able to reach a definitive conclusion with the information you have. Make your best assessment using the information you have.)

### III. Searching by Topic or Using the Descriptive Word Index

You do not have to locate a case on point to access the digest. You can also search the West Key Number System in Westlaw or use the Descriptive Word Index in print to find relevant topics and Key Numbers. Assume you learned the following new facts about your client’s situation:

Mr. Millstein again accidentally left the screened cover off one of the tanks holding the insects he was breeding, and several insects escaped. Fearing that they would travel to Ms. Westerfeld’s unit, Mr. Millstein wanted to enter her unit to look for the insects. He knocked on the door, and when she answered, rushed past her into her unit to look for the insects. He found them and removed them. Ms. Westerfeld has now served Mr. Millstein with an amended complaint that adds a count for trespass to land based on the entry of both the insects and Mr. Millstein into her condominium. You need to find out the elements of a claim for trespass to land.

- A. In Westlaw, access the West Key Number System by following the link to “Key Numbers” under the Content tab. Once you are in the West Key Number System, set the jurisdiction to the jurisdiction for your problem set (using the links immediately below the search box). Enter the term “Trespass” in the search box and execute the search.

In print, locate the Descriptive Word Index for the digest set you used for Part II, above. Look up “Trespass,” focusing on entries involving “real property.”

Review the Key Number search results or index entries. You should see a variety of subheadings, most or all of which refer to a single topic. To which topic do the subheadings refer?

- B. In Westlaw, review the list of subtopics from the Westlaw Key Number search results. In print, look up the topic you identified for Question A, above, in the digest and review the topic outline.

Which Key Number summarizes cases relating to the Entry requirement for trespass to real property (or land)? (Hint: The Key Number is the number following the key symbol.)

- C. In Westlaw, click on the link to the Key Number. In print, locate the case summaries under the topic and Key Number in the digest. Review the case summaries, and provide the information requested below for your problem set. (Hint: More than one case may apply. You only need to list one case. If you are conducting research in print and find no cases, be sure to update your research and, if necessary, consult an earlier series of the digest for summaries of older cases.)

## Westlaw Key Number or Digest Question

Problem Set	Question
A	Provide the name and citation of a state case that discusses whether substantial certainty that an entry onto land will occur is sufficient for trespass.
B	Provide the name and citation of a state case that discusses whether the entry of a thing (rather than a person) can constitute a trespass.
C	Provide the name and citation of a state case that discusses how an actor may commit a trespass without entering the land him- or herself.
D	Provide the name and citation of a state case that discusses the nature of the intrusion upon the property necessary for trespass.
E	Provide the name and citation of a state case that explains whether trespass requires that the property owner suffer harm.
F	Answer the question provided by your professor. If Indiana, provide the name and citation of a state case that discusses whether release of noxious chemicals can be a trespass.
G	Provide the name and citation of a state case involving trespass caused by toxic chemicals.
H	Provide the name and citation of a state case that explains the gist of a trespass action.
I	Provide the name and citation of a state case that discusses trespass caused by chemical discharges.
J	Provide the name and citation of a state case that discusses whether invasion of land by smoke, noise, light, and vibration is sufficient to constitute a trespass.
K	Provide the name and citation of a state case that discusses entry of a thing beneath the surface of the land.
L	Answer the question provided by your professor. If Iowa, provide the name and citation of a state case that discusses the observable or physical invasion necessary for trespass.
M	Provide the name and citation of a state case that discusses trespass caused by cigarette smoke.
N	Provide the name and citation of a state case that explains what the plaintiff has the burden of showing in a trespass claim.
O	Provide the name and citation of a state case that explains what intent refers to in the context of trespass.
P	Provide the name and citation of a state case that discusses the entry of a thing on the land.
Q	Provide the name and citation of a state case that discusses whether trespass requires damage to be done.
R	Answer the question provided by your professor. If Alabama, provide the name and citation of a state case which discusses whether an entry on land in the possession of plaintiff, actually or constructively, without express or implied authority, is necessary to sustain an action for trespass to realty.