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Supreme Court at Law School

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SCHOOL NEWS

Supreme Court at law school

Is the loss of four rolls of vacation film worth the replacement cost of the film or the cost of retaking the pictures?

The Indiana Supreme Court weighed that question in the case of an Indianapolis lawyer who sued Hoosier Photo

Supplies, Inc. and Eastman Kodak Co., Inc. for the loss of four rolls of film from his 1970 European vacation.

The justices made their annual trip to the Indiana University Law School to hear arguments in the case.

John R. Carr, Jr. originally sought \$10,000 in damages from Hoosier Photo and Kodak.

At a trial in Marion County Municipal Court in 1975, Carr showed that going back to northern Spain and re-taking the pictures would cost \$6400. Kodak and Hoosier Photo said he was only entitled to \$13.60—the cost of four rolls of film.

Judge Joseph N. Myers awarded Carr \$1,013.60 in damages, and the award was upheld last year by the Indiana Court of Appeals. Hoosier Photo and Kodak then asked the Supreme Court to review the case. "We're here because the defendants, through their negligence, lost that irreplaceable record," said A. David Myer, an Indianapolis lawyer who argued Carr's case. Myer said the proper measure of Carr's loss is its value to him. "That's been the law in Indiana since 1916," he said.

"These particular photos were of particular value because they were of his family in that particular area in northern Spain," he said.

But W.C. Blanton, the lawyer for Kodak and Hoosier Photo, insisted that all Carr should be able to recover is the replacement cost of the film because a notice on the film box and the processing receipts told him so.

"He knew what the wording was and he knew what the wording meant. He stipulated that this is (film) industry practice," Blanton said. "The nature of this particular loss is such that Mr. Carr is the person who appropriately should bear his own loss." A decision on the case will come at a later date.

Following the arguments in the case, a reception was held for the court, giving students an opportunity to meet and talk with the justices.



Pictured during the Supreme Court's visit to IU are, from left, Dean Sheldon J. Plager, Justice Debruler, Chief Justice Richard M. Givan, and Justice Prentice. Seated is Justice Hunter.

Modification approved for law addition

The Trustees of Indiana University approved a modification in plans for the proposed library addition to the law school building on April 3. Under the new design, all trees located in the Old Crescent Woods would be preserved. The exterior wall of the addition will stand west of the wooded area which occupies much of the 20 acres of the campus listed in the National Register of Historic Places.

Concern that the addition would encroach into the woods by 24 feet, as called for in the initial plan, led to criticism from some IU alumni, faculty, and students. The change preserves the woods while continuing to meet the law school need for additional space.

The change was adopted by the Trustees in response to those people who were concerned about the initial



plan.

The addition, to be placed on the east side of the law school building, will provide new library space, study areas, classrooms and offices. Beginning construction is planned for early fall.