

## **R.I. LOCAL ESSAY QUESTION #1**

Mary Wrenn is a resident of Providence, Rhode Island, who is employed as a staff member at the University of Massachusetts-Dartmouth in Dartmouth, Massachusetts.

One day, Ms. Wrenn is dispatched by her superior to deliver materials from her office to another office on the other side of campus. Her alternatives are to take a long sidewalk route around the buildings or to cross a parking lot that leads directly from one building to the other. The parking lot has been under construction and is currently protected by yellow tape and various construction equipment, regarding a repaving project, is on the parking lot. Ms. Wrenn ducks under the yellow tape and proceeds into the parking lot where her foot becomes caught in not yet dry asphalt. As a result of that, she falls and breaks her leg. Ms. Wrenn has filed an action in Providence County Superior Court against the contractor only. The case has been reached for trial and the contractor is raising as a defense that the Massachusetts law of comparative negligence applies rather than the Rhode Island law of comparative negligence, and that it should bar a recovery by Ms. Wrenn. You are the law clerk to the trial justice. Please advise the trial justice on the appropriate ruling on this matter.