

**ESSAY QUESTION**  
**(10 MINS)**

Shelley and Rick had never met before but were sitting next to each other on a bus traveling from Kansas to California. Shelley tried talking to Rick and he totally ignored her. As a result, Shelley got annoyed, aimed her loaded water gun at Rick and pulled the trigger. She thought as she was pulling the trigger, "Let's see how much attitude you have when you get drenched in front of all these people." Rick yelled when he saw the water coming at him, but because of his fast reflexes he was able to move his well-loved, Louis Vuitton briefcase that he was holding on to between the stream of water and himself. He loved the briefcase so much that he held the handles all the time except when showering. The water thoroughly soaked his briefcase but did not hit him.

Rick sues Shelley for battery. The parties have stipulated that if contact occurred it will be considered harmful or offensive. **Please discuss whether intent and contact exist.**