

## *Bava Kamma 4*

### **He Knocked the Taxi Driver's Sunglasses out of the Car Before They Were Run Over: Is He Liable?**

Two fellows shared a taxi ride together. When they arrived at their destination they realized that they had arrived late to an important meeting. They rushed out of the car. In their haste to exit the cab, one of them knocked the taxi driver's sunglasses out of the car and onto the street. The passenger did not realize that he was causing the sunglasses to fall out of the car, and the driver did not notice that they had fallen from the car. The driver drove off and crushed the glasses. The driver demanded that the passenger pay him for having ruined his sunglasses. The passenger claimed that since the driver had pressed on the gas pedal and run over the glasses with his own car, he was not responsible to replace the sunglasses, since the driver had caused harm to himself. Who is right?

*Bava Kamma 4* teaches about the law of a person who damages with his own actions. The Gemara taught that it is to be expected that a sleeping person would cause damage, since when someone is asleep he moves his limbs, and will likely knock over utensils that might be next to him. Tosfos (s.v. *keivan*) quoted a lesson from the