**2725 INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS**

A person may recover damages for the intentional infliction of severe emotional distress upon him or her by another.

A person who by extreme and outrageous conduct intentionally causes emotional distress to another is liable to that person if the resulting emotional distress is severe.

Four factors must be established for an injured person to recover:

1. That the conduct was intended to cause emotional distress,

2. That the conduct was extreme and outrageous,

3. That the conduct was a cause of the person’s emotional distress, and

4. That the emotional distress was extreme and disabling.

For a person’s conduct to be intentional, you must find that the person acted for the purpose of causing emotional distress to the other person.

For conduct to be extreme or outrageous, you must find that the average member of the community would find the conduct as a complete denial of the individual’s dignity as a person. The conduct must be gross and extreme and not merely in the field of carelessness or bad manners.

For a person’s conduct to be a cause of a party’s emotional distress, you must find that the conduct had a substantial effect in producing the emotional distress.

For a person’s emotional response to be extreme and disabling, you must find that the person was unable to function in other relationships because of the emotional distress caused by the conduct. Temporary discomfort is not extreme and disabling and cannot be the basis of recovery.