Case study – common law

Business

Common Law.

If the court applies the doctrine of stare decides in the case where the members of AOL that got their information mistakenly made public are filing a suit again AOL then the court would not dismiss the suit. AOL is arguing that its forum-selection member agreement states that Virginia courts are the place where member's disputes will be tried. However, according to theSupremeCourt a forum-selection is basically irrelevant if it contravenes with a strong public policy. Stare decides means that the court must uphold prior decisions.

And in the state of California, courts have declared in other cases that the AOL clause contravenes a strong public policy.

Therefore, if the court applies stare decides the suit will not be dismissed and the members of AOL can continue with their case against AOL in California. 2-4 venue. Rhea case involving Brandy Austin filing an action againstNestlein Heinlein County District Court in Minnesota for contamination of infant formula with Interacted kaka-kaki bacteria should be transferred from a Minnesota to a South Carolina denude.

This is true because when it comes to the location of Jurisdiction for a trial, ' menu is concerned with the most appropriate location for a trial. The venue is to be chosen based on where it may be more appropriate or convenient to hear the case, and also in the geographic neighborhood where the incident occurred or where the party resides.

In this case the venue should be changed from Minnesota to South Carolina because the alleged tortuous action on the party of Nestle occurred in South Carolina and also Austin is a South Carolina resident and gave birth to her daughter n South Carolina. -5 Discovery. Do not believe that Connecticut state court should lift the order against the request for continuous discovery for the case in which Rite Apatite filed to recover for injuries to her head, neck, and shoulder against Wall-Mart. The trial was not held until two [ears after the alleged injuries to Apatite’s head, neck, and shoulder, and even ten days before the trial the court was asked and granted the plaintiff four more months for discovery. Five months later at the trial, more time for discovery was asked for.

I think that two years and four months is already more than enough time for discovery, and I think the plaintiff should have took better advantage of the extended four months that the court granted them. At this time, it is a question as if the plaintiff is trying to drag the trial on for some other reason or is trying to wait for something to come up that has no relevance to the specific injuries that they could use for their case. I think that the court should deny the question to lift the protective order against further discovery.