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Alan versus Chicago O'hare Airport

It is the duty of the management of the airport to make sure that the airport is free from objects that may cause harm to any person within the airport, including the passengers. For the case of Alan, he was late for his flight and decided to rush knowing that the airport was free from any hazards that could cause him any harm. This prompted him to run without being keen on where he was stepping. Unfortunately, he stepped on a banana peel, fell and got injured. The O'Hare Chicago airport management was negligent by not clearing the banana peel from the concourse, which passengers were using, hence it has a case to answer against the plaintiff who is Alan. The Airport breached its duty of care, which resulted to Alan's severe head injury. It was a breach of duty by the airport management for not conforming to the conduct of standards that are set for clearing and cleaning the concourse. The brownish condition of the banana peel, as proved by the investigation team showed that it might not have been dropped by the immediate passengers that were before Alan. This explains that the banana peel was not fresh; hence the employees of the Airport who were supposed to clean the walkways did not perform their duties as required, making Alan's case to be a legitimate case to answer. The color of the banana peel therefore provides a proof of negligence from the defendant since the color of the banana could be noticed from far.

In the case of Anjou v. Boston Elevated Railway Company, the Plaintiff had slipped and injured herself after stepping on a banana peel that was on one of the walkways at the railway station. The condition of the banana peel showed that it had stayed there long enough to be noticed. The investigation

described the banana as black, dry and gritty; hence the defendant was held responsible of negligence of not removing the banana peel from the walkway.

Negligence was bestowed on Boston Railway Company since the condition of the banana peel showed that it had taken some good time on the ground.

Since a banana peel is something that is highly visible, the employees could have identified the peel long before it caused the injury. Therefore, the railway company was liable to its negligence; hence it had a case to answer which is the same case as that of Alan and the O'Hare Airport.

On the other hand, in the case of *Goddard v. Boston & Maine R. R. Co.*, the plaintiff did not table tangible evidence of breach of duty, which meant that the defendant had no case to answer. Goddard had stepped on a banana peel at the Boston & Maine Railway company and decided to sue the company for negligence. The other passengers who were at the platform did not step on the banana peel apart from Goddard. The banana peel was fresh meaning that it might have been dropped by the other passengers and Goddard stepped on it before the cleaners cleaned the area. The exception was overruled since there was no proof of breach of duty.

Alan therefore, should go ahead and press charges against the airport for negligence since there is evidence that showed the banana peel presence on the concourse was a breach of duty by the airport management. Banana peels are always yellow when ripe; meaning that when they are peeled immediately, the peels are yellow. In the case of Alan, the banana peels had already turned brown showing that it had taken some time. The employees

who were assigned to clean and inspect the concourse could have identified the hazard and removed it earlier before it caused Alan's accident.

References

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