

Learning team deliverables essay sample

[Technology](#), [Internet](#)



The Tort case involves class action suit with Walmart and Tracfone mislead phone customer purchasing service and product which were false advertising with the service they provided. Walmart and Tracfone are partners of an internet and cell phone service they provide to the end users. These customers were not receiving the service they were promise from Walmart and Tracfone. The customers and subscribers of the internet and cell phone service started sharing information with each other and decide to file a class action suit against Walmart and Tracfone. Class Action Fairness Act (CAFA) is at the national level of Tort reform legislation. This type of legislation must consist of 100 members and citizen from various states. “ Intentional tort disparagement is the publishing of a false statement of a material fact about a business’s product or service” (Kubasek, Browne, Herron, Giampetro-Meyer, Barkacs, Dhooge, & Williamson, 2012).

Suggestion to President/Owner—Deivis Hernandez

Even though what Tracfone is doing is not illegal and I’m sure was clearly stated in the customer agreement that was signed by the customer its sometimes best to settle than to waist money and take your chances on someone else deciding whether the company should be help legally responsible. The owner or whomever is making the decisions should decide on what the person or group of people are trying to get out of this case is worth settling on. If the complaint is that they weren’t given what they thought they were given than the company may want to give them what they expected for the time period that the service was paid for.

With prepay payment is usually made one month at a time so the company may want to give them a free month with the expectations they had with their service and clearly state what the future agreement will be after the settlement has been taken care of. The company will then need to change advertising and contract agreements disclosure to make sure this is prevented in the future. If there is more that the consumers are asking for from this case than as the decision maker for this company they should fight for what they believe is right in their eyes in order to minimize losses and future suits brought against them.

Reference

Nancy K. Kubasek, M. Neil Browne, Daniel J. Herron, Andrea Giampetro-Meyer, Linda L. Barkacs, Lucien J. Dhooge, Carrie Williamson, DLA Piper US LLP, (2012). Business Law copyright © 2012 McGraw-Hill Company