

Homework

Business



Hagan vs. Coca Cola Bottling Company The Hagan vs. Coca Cola bottling company case exemplifies the compensation culture and the validity of the impact law. In this case which is for the most part concerning the emotional distress caused by alleged negligence on part of the Coca Cola Bottling Company, the court had to decide whether it was the negligence of the company that resulted in the incident which had led to a medical expense of USD eight thousand. Also the court was to adjudicate on whether to award compensation for what the plaintiffs claimed to have caused them both mental stress as well as financial losses in the form of medical aid that was needed as a result.

There were contrasting opinions over the presence of a foreign material in the bottle. While the plaintiff's believed that it was a condom, the analysts of the Coca Cola Company denied these allegations by terming the foreign particle as being a mold which resembled a condom. Also, Coca Cola argued that the case should not stand as there was no physical injury to any of the plaintiffs and the extent of mental distress as claimed cannot be quantifiable. The Court was therefore left to interpret the validity of the impact rule in cases of emotional distress which is not associated by physical injury.

The court was also left to pass a judgment on whether the impact rule was applicable in this case or should it be abolished or amended in Florida. In this case, the court concluded that although it could not validate any impact for which it could apply the impact rule. In my view, the court had rightly made the decision since the plaintiffs could not establish the extent of the emotional distress as a fear of contracting a physical illness alone does not constitute a legally compensable injury.

2. In any society, there are four main functions of law which include

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Peacekeeping or social control, justice in the society, Environment protection, and personal freedom. The first function mentioned above is peacekeeping which essentially works by dissuading criminals and anti-social elements from indulging in anti-social activities by rule making which deters any such action through knowledge of punishments that may result as a consequence. The Tort system is one example which assures that every person is entitled to financial claim on the other in the event of any physical harm. This ensures that people do not fight or disrupt peace over such issues.

Law also results in the provision of economic growth by promoting competition. Various anti-trust laws ensure that small businesses are also able to compete with large companies. This ensures that all members of the society no matter how influential or financially strong they are enjoy no special privileges and every single entity is treated with equality.

The third function as described above is to ensure personal freedom which manifest from the fact that law works in a way to make decisions which do not seek popularity of the government but instead moves to safeguard the right and personal freedom of every individual. One very obvious example is that the courts pass a ruling on what they perceive is the right this rather than what would be most popular.

Another very important function is to protect the environment in order to make the place a more liveable place as well as pave way for better business practices. This ensures the provision of an enabling environment for business activity to take place. The adoption of UCP and UCC are examples of such a function of law.

References

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“ Supreme Court of Florida”. Hagan vs. Coca Cola. Retrieved from floridasupremecourt.org