

Business law assignment

[Business](#), [Management](#)



This film was very interesting to watch. It made me realize how many frivolous lawsuits that have occurred. The Stella Libeled case was huge example. Yes I understand she suffered third degree burns and had to be hospitalized for a week or so to recover but it could have possibly been prevented. The right thing to do would be to be careful when handling the cup of hot coffee.

The cup itself says to be careful and why would anyone put a cup of hot coffee in between their legs especially being in the passenger seat where one could actually hold the cup in their hands which would have possibly prevented her from spilling hot coffee all over herself. The media won't tell you that the actually cup itself melted from the hot coffee and therefore doesn't give those who question this case a chance to see what really happened. This film seems to give a broad layout of what actually took place and why Stella Libeled should be awarded for damages.

Let's just say that the cup actually broke on its own while she was holding it, then that would be a different story. Then the lawsuit would make more sense to most people and she should be granted some kind of payment for her damages. Although McDonald's had over seven hundred complaints of hot coffee, the company itself doesn't tell their customers when to drink it. If the coffee is too hot then wait a little while till it gets cooler. If the coffee at McDonald's is too hot for someone then go somewhere else.

In this case the coffee actually was too hot for the cup itself to actually handle and led to Stella Libeled to suffer from third degree burns. The media will always makes things worse than what they actually are. People will listen

to and believe everything the media says without actually knowing the facts. Stella Libeled is probably disliked by many because of assumptions people make about her case in thinking that she just wants to cash in on a huge chunk of change for something she did to herself. The case of Colon Journey was an example of tort Reform. Cooling Journey was born mentally disabled because of Medical Malpractices.

The Groucers then sued Dry. Knoll for her negligence. After a three week trial, the jury found that Dry. Knoll's negligence caused Colic's brain injury and awarded the Groucers \$5.6 million in damages. The jury did not know that the law in Nebraska had caps on all damages. Instead of the Sourness's receiving \$5.6 million, the verdict was reduced to \$1.25 million. If the jury renders an award which is higher than the cap statute, the trial judge after the trial, then reduces the verdict to the amount of the cap. It takes away the power of the jury to make a determination as to what a fair and reasonable amount should be for damages.

It states in the Seventh Amendment that juries get to determine questions of fact in the court room. The jury decided that the Groucers should be compensated. Violates the Seventh Amendment by taking away the power of the jury and allowing legislatures to decide what they believe to be reasonable. The Groucers are faced with only \$1.25 million to care for their disabled son for the rest of his life. This all could have been prevented if Dry. Knoll wouldn't have been negligent towards Ms. Journey and because of her negligence Colon will have to live disabled for the rest of his life and never live a normal life.