

Business law case study assignment

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



Please answer the questions posed at the end of?? each case study in essay form. Each essay will be judged on your capacity to present strong, logical discussions that support your conclusions. Case study 1 Members of Students for Fair Tuition (SFT) decide to protest rising tuition costs at Gigantic State University (GSU) by taking over Dunfee Hall, the location of GSU president Dalton Chandler’s office. As they storm into the reception area of Chandler’s office suite, shouting “ Down with fascist tuition increases,” Chandler’s faithful secretary, Prudence Pimply, picks up a phone to call the campus police.

Steve Steel, radical leader of the SFT, slaps the phone knocking it from Prudence’s hand without ever touching her. He then pulls out an amazing lifelike squirt gun and threatens to blow Prudence’s head off if she so much as moves an inch toward the phone or the door. Prudence collapses in a sobbing heap on her desk. Unfortunately for their purposes, the students find the only door to Chandler’s third floor office locked from the inside. After a few feeble attempts to break it down, they contend with barricading his door with filing cabinets and singing “ We Will Overcome” until the police arrive shortly thereafter.

The total time elapsed from the moment the students entered the building until the police arrive is ten minutes. President Chandler was taking a nap and slept through the entire incident. Prudence was so upset that she couldn’t return to work for a week, and then only managed to do so under heavy doses of tranquilizers prescribed by her doctor, Morton Mallard.

Consider the following when writing this essay: ?? Was a crime

committed? ?? Was there any negligence involved in this case? ?? What laws and rights were violated? Who should be held liable for the damages (physical and mental)? ?? Discuss the possible tort liability in this incident. Assault, battery, infliction of emotional distress, and false imprisonment all should be explored. This was a very interesting case that started off as not being a crime but then turned into a intentional infliction of emotional distress against Prudence. The tort of intentional infliction of emotional distress has four elements: 1. the defendant must act intentionally or recklessly; 2. the defendant's conduct must be extreme and outrageous; and 3. he conduct must be the cause 4. of severe emotional distress. This is exactly what happened in this case. Steve Steel not only knocked the phone out of Prudence's hand but also broke down the door and threatened Prudence with force and made her scared for her life. I do believe that negligence is a part of this case. A person who engages in activities that pose an unreasonable risk toward others and their property that actually results in harm, breaches their duty of reasonable care. Steve Steel did not show a proper care of duty with Prudence.

I think that Steve Steel should also be responsible for all of the physical and mental damages since he did not show reasonable care. I think the tort liability in this case would be assault and battery. An assault involves three things that we see in this case. An assault occurs when an intentional, unlawful threat or " offer" to cause bodily injury to another by force; under circumstances which create in the other person a well-founded fear of

imminent peril; where there exists the apparent present ability to carry out the act if not prevented.

A battery is the willful or intentional touching of a person against that person's will by another person, or by an object or substance put in motion by that other person. Please note that an offensive touching can constitute a battery even if it does not cause injury, and could not reasonably be expected to cause injury. Both of these items occurred in this case. Case study 2 Steve Simple is a pledge in Zeta Iota Tau (ZIT) fraternity at Minor State Teachers College (MSTC).

As part of his pledge duties, he is sent to climb the campus water tower to repaint the fraternity's Greek letters, which had faded in the last year (the tower has been covered, virtually throughout its existence, with graffiti placed on it by students). The night Steve climbs the tower a tremendous thunderstorm is in progress, making the steps quite slippery and exposing anyone climbing the tower to a great danger of being hit by lightning. Fortified by a six-pack of Hudepohl beer (\$1. 89 warm at the local convenience store), Steve nonetheless decides to make the attempt.

Unfortunately, Steve is electrocuted halfway up the tower by a short circuit in the tower's pumping mechanism. The short circuit was the result of a failure to perform proper maintenance (this being deferred by MSTC so that it could pay higher faculty salaries) and was something that had happened before (although only pigeons had been fried in the past). Prepare a written essay of the potential liability of all parties in this case. Consider the

following: ?? Negligence ?? Fault ?? Chain of causation ?? Proximate cause ??
Assumption of risk ?? Contributory negligence ?? Comparative negligence

Negligence is the failure to use reasonable care. It is also the doing of something which a reasonably prudent person would not do, or the failure to do something which a reasonably prudent person would do under like circumstances. It can also be a departure from what an ordinary reasonable member of the community would do in the same community. Negligence is also a ‘ legal cause’ of damage if it directly and in natural and continuous sequence produces or contributes substantially to producing such damage, so it can reasonably be said that if not for the negligence, the loss, injury or damage would not have occurred.

Negligence may be a legal cause of damage even though it operates in combination with the act of another, a natural cause, or some other cause if the other cause occurs at the same time as the negligence and if the negligence contributes substantially to producing such damage. In this case , I think it is unreasonably dangerous climb a tower during a thunderstorm. However the school may be liable even though it exercised all reasonable care in the design, manufacture and sale of the product in question for not during proper maintenance.

You can also consider the chain of causation in this case. A chain of causation is a series of events, each of which was caused by the immediately previous event. This law states that if the result would not have occurred but for what the defendant did, then the prosecution has established a chain of

causation. It could be said that if it Zeta Iota Tau fraternity tradition then Steve would not have been in this situation. a proximate cause is an event which is closest to, or immediately responsible for causing, some observed result.

In this case the fraternity would not immediately responsible for causing Steve to get hurt. Assumption of Risk also comes into play into this case because Mr. Simple clearly knew what he was getting into. His judgment could have also been impaired by the beer but he know clearly what he was getting into . In a comparative negligence system, the injured person may still recover some of his or her damages even if he was partially to blame for causing the accident. Plaintiff's financial recovery may be reduced depending how plaintiff's actions caused or contributed to the accident.

In states using a comparative negligence system, a jury or judge determines the proportion of fault to be assigned to each responsible party.. In this type of system multiple parties such as the fraternity and the school could be held responsible for some of the things that happened. With contributory negligence, a person who negligently causes harm to another cannot be held liable if that injured individual contributed to his own suffering and injury, In this case Steve would be responsible