

CLWM4000 Business and Corporation Law Assignment 1T 2016

Due: 20th May 2016 (11.59 pm AEST) Length: 1000 words +/-10%

Note the following when answering the assignment question

1. Use the IRAC method to answer this question.

A good answer will

- (a) Identify the issue/s in the question by discussing them in order of importance.
- (b) Be structured in a clear and logical manner that it is easy to read and understand.
- (c) Cite relevant authority to support your arguments.
- (d) Present good arguments that demonstrate clear understanding of the legal principles raised in the questions.

2. It is your responsibility to be familiar with Kaplan's policy on

- Plagiarism
- Referencing – acknowledging source of research materials
- Student misconduct
- Turnitin - similarity

QUESTION (20 MARKS)

George Michael is owner and producer of olive groves in Koala Island, whose company, Oleocampo, produces one of a kind top quality cold pressed organic olive oil. He is the sole supplier to many food producers and celebrity chefs whose restaurants and television shows only use Oleocampo olive oil for their food preparation. In fact it is one of the main ingredients in many of Oleocampo's customers' recipes. This is common knowledge and Oleocampo is the pride of Koala Island.

Adjacent to George's olive groves is a farm owned by Andrew Ridgeley who periodically does aerial spraying on his farm. His new young pilot mistakes Michael's olive groves for the Ridgely farm and sprays it with chemical pesticides. This incident has a major impact on Oleocampo. It is unable to produce its fine quality organic olive oil for a whole year until the effects of the chemical pesticide wears off and Oleocampo olives can be certified organic again. As a result, Oleocampo is unable to supply its customers with its prized olive oil.

To minimize its costs Oleocampo has had to lay off 25% of its staff. Julie, who was part of the olive grove team lost her job and is unable to meet her mortgage repayments.

1. *Advise Oleocampo if it can sue Ridgeley for negligence.*

Will Julie be successful if she were to sue Ridgeley?

(15 marks)

Wyatt Marlston, a celebrity chef who has a regular television cooking show is one of Oleocampo's customers. Upon hearing that Oleocampo is unable to supply him with its fine olive oil for a year, suffers a heart attack and it taken to the Royal Adelaide Hospital. Upon seeing him at the ICU (Intensive Care Unit) Maggie Marlston, his wife, suffers trauma.

2. *Advise Maggie of her prospects of obtaining compensation if she was to sue Ridgeley in negligence. (5 marks)*