

Client Dilemma

Harry and Monica want to launch a new technology business. Harry and Monica are working on a peer-to-peer technology that helps users move large files quickly and anonymously. Harry is a wicked-smart programmer and will do all the coding himself. Monica will be in charge of business development e.g. onboarding partners, customers, etcetera. Harry and Monica think they will need to raise about \$800,000 from outside investors to cover costs and staffing needs. They both want to participate in the management of the business equally, but they don't want their investors to participate in the day to day operations. They also want a team of advisors from tech, medicine, entertainment, law, and a few people who are experienced with the strategic growth of a technology business.

Though, Monica is excited to be working with Harry, Harry is a bit immature and doesn't always make the best decisions—but, when it comes to programming he can't be beat. For example, last Halloween, Harry dressed up like the guy from the Texas Chainsaw Massacre and walked around his neighborhood scaring people with a chainsaw. He literally gave one poor guy a heart attack. The guy was planning on suing Harry until Harry agreed to pay for his hospital expenses. Harry has promised to knock off the pranks, but Monica still worries that he will do something that could create liability for her. Monica would like you to help her avoid liability, while keeping the business goals in mind. She also wants to know what kind of legal exposure the business might have if Harry, or any other person working for the business, injures someone (she wants to know how all that stuff works). This way Monica can keep Harry on the straight and narrow path toward their success.

Harry has already started coding in his basement and Monica has started drafting an outreach plan. But, nothing has been sold yet. They want to call their app USENDIT and have already purchased the URL www.usendit.com. They would like to call the company USENDIT and want to know whether they can do that.

Monica and Harry want to get as many people using their app as possible. Monica is planning on approaching influential organizations that work with hospitals, medical offices, and law firms. She thinks these types of businesses will get the greatest use out of their software because both types of businesses deal in large data files.

Since their app quickly and anonymously sends large files, Monica and Harry are concerned about whether they might incur any liability if app users send copyrighted material using their app. Copyrighted material could include songs, books, movies, and similar content. In fact, Harry used the movie "The Goonies" to test the software since movie files are similar in size to those files moved by hospitals and law firms. Monica and Harry have discussed possibly working with movie and music studios to help them move their content during the creative process.

Monica and Harry want USENDIT to be headquartered in Utah, maybe the Silicone Slopes area.

Letter Formatting

Letterhead for the Sender

Date

Recipients Name

Attn:

Address 1

Address 2

City, State, Zip

Re: [Brief description of the purpose of the letter]

Dear [Full Name],

The introduction should clearly identify the scope of work (the issues of law) you have been asked to consider. In the introduction identify what work you have performed and what information you have considered in coming to your conclusions. The introduction should also include a disclaimer regarding changes in law, unknown facts, or changes in facts.

FACTS

In paragraph form, write out the relevant facts.

ANALYSIS

The analysis section should have a header for each issue. The header can either be the issue or the conclusion to the issue. The body of your analysis should be organized as follows:

State the issue. State the rule. Cite the rule. If the rule has more than one element, provide a road map e.g. first, I will discuss X then I will discuss Y.

For each element of a rule: State the issue. State the rule. Cite the rule. Provide your analysis (this is the basis for your conclusion, counterarguments, and responses to the counter-argument. State your conclusion.

The final paragraph should state the overall conclusion and address all the elements of the rule.

CONCLUSION

Restate your conclusions, but do not cut and paste your conclusions from the analysis section, simply restate your conclusion.

Respectfully submitted,
prefer

You can use any professional closing you