

Please prepare your answers of approximately 1 page for each of the following 4 questions. Assignment is due **Thursday, Dec. 15, 2016 at 8:00 AM**. And is **40 points** of the Final Exam.

A.) 10 Pts. Recently a group of people ages 19-20, went to the rooftop of a building under construction in the West Loop, to drink some beer, and enjoy the view. Tragically, one of the young women stepped through an opening where there had once been a skylight. She did not survive the fall. The property was surrounded by a fence, with "NO TRESPASSING" signs present. However, there was no lock on the gate. There was a temporary barricade to the entrance of the building, but it was not fully in place. Once inside the building, the stairway to the roof was open and not blocked in any way. The family of the deceased girl is suing the owners of the building, claiming Negligence.

Please discuss the elements of the tort of Negligence, which the Plaintiff must prove to win the case.

Do you think each of the elements is present?

Are there any Defenses which the property owners can argue?

How would you rule if you were a Juror?

B.) 10 Pts In July, 2009 Ryan Howard of the Phillies' hit his 200th career home run, having achieved that milestone in fewer games than anyone in major league history. 12 year old Jennifer caught the historic, and obviously valuable ball. Jennifer was at the game with her 15 year old brother. A Phillies' team representative convinced Jennifer to exchange the ball for one that was worth only \$100, and some cotton candy.

Jennifer's parents sued the Phillies to rescind (avoid) the agreement, asking the Court to return the ball to Jennifer.

What Contract issues are presented by this case?

Do you think Jennifer should win? Why or why not

C.) 10 Pts As you may remember the NATO Summit was held in Chicago in 2013. In anticipation of the many protestors expected in the area, Chief US District Court Judge James Holderman issued a Court Order restricting access to the Federal Courthouse. Only essential visitors, including attorneys who had cases before the Court were allowed into the otherwise public building. The obvious result was that no protestors were allowed access to the building during the Summit.

Please discuss the Constitutional protection involved; In your opinion, did the Order violate the Constitutional rights of the protestors? Why or why not?

D.) 10 Pts. Please discuss the benefits of Incorporation, over other forms of business organization, such as Sole Proprietorship or General Partnerships.