

Question 1

Doris, Inc. was a manufacturer of Riowax, a product used for the removal of unwanted hair. Paul's eyebrows were thick and connected in the middle. Paul bought a container of Riowax to remove the middle part of his eyebrows, where they connected. He read the label, which said, "Riowax is perfect for removal of all bodily hair and harmless to your skin." When Paul applied the Riowax to the place where his eyebrows met, above the ridge of his nose, he immediately felt a powerful stinging sensation. A rash began to set in right where Paul had applied the Riowax. Alarmed, Paul began to wipe the Riowax off and some of it got into his left eye, which caused Paul permanent blurred vision in that eye.

When Paul learned through research several days later that the Riowax was not safe for use on skin around the face, and that with direct contact it can damage the eye, he was upset. He started a blog called "Riowax Warning!" In the blog he falsely wrote that Riowax contained the powerful corrosive lye.

In response, Doris, Inc. President and CEO Doris Davis falsely wrote on her company's Facebook page that "In the past Paul has made false claims about a number of legitimate companies such as Doris, Inc. He is not to be trusted."

What are Paul's potential causes of action against Doris, Inc., and what are Doris, Inc.'s defenses, if any? Discuss.

What are Doris, Inc.'s potential causes of action against Paul, and what are his defenses, if any? Discuss.

Question 2

Doug owned two adjoining empty lots on a city block zoned for commercial purposes. He placed one lot on the market for sale and Peter approached him to discuss buying the lot. Peter told Doug he wanted to buy the lot to open a plant nursery on it. Doug told Peter that he was going to open a farm equipment rental company on his remaining lot, and that the two businesses would complement one another. In fact, Doug had no intention of opening a farm equipment rental company on his remaining lot. Based upon Doug's representation that Doug was opening a farm equipment rental company on his remaining lot, Peter purchased the lot for sale for \$500,000.00 and opened a plant nursery on it. Customers were soon visiting the nursery and wandering in the back area among the lovely flowers and small potted trees. Doug, meanwhile, built and opened an "adult bookstore" on his lot. Peter's customers began to complain that when they were out back among the plants they could hear obnoxious noises coming from the adult movies that were loudly playing at the "adult bookstore." Flashing red lights were also strobing into the back area, annoying Peter and his customers. Peter also could not help but notice blow up dolls dancing in the "adult bookstore" windows, and a leering and unconventional clientele coming and going from the "adult bookstore" throughout the day. It was ruining the ambience of the plant nursery. Peter's business began to drop off. Peter talked to a real estate broker and confirmed that his property, even now improved with the plant nursery, was worth \$300,000.00.

Furious, Peter hired a group of menacing looking men to picket the "adult bookstore." They carried signs that said "immoral," and "unwholesome," and they marched in front of the door of the "adult bookstore." Soon almost all of Doug's "adult bookstore" business dried up and he was forced to close the "adult bookstore."

Doug went over to Peter's nursery to confront him. When Doug walked in the front door of the nursery he was angry and not paying attention. He did not see Peter's dog, Metaphor, laying on the floor by the front counter. As he approached Peter angrily, Doug's left foot struck Metaphor in the chest area, causing an injury. Doug jumped back in surprise. Metaphor looked up at Doug, seemingly evaluating his intent, then slinked over to the corner to lick his wound. Peter took Metaphor to the vet later and paid \$150.00 to learn that Metaphor had a bruised rib.

What potential causes of action does Peter have against Doug, and what are Doug's defense, if any? Discuss.

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