

Caroline Bradley
Agency Hypotheticals for Week 2

1. DJT hires JK to be the manager of the Sunny Times care home. At the beginning of the coronavirus pandemic, DJT says to JK: “We need to make sure we have supplies of protective equipment, and other things we will need during the pandemic, so do what you can, but don’t pay too much. We need to make sure we don’t lose money.”

JK soon discovers that there is not much suitable protective equipment (PPE) available for sale, and what there is is increasing in price rapidly. So he orders a regular supply of gowns and masks for \$100,000 per month for 2 years from Alpha Supplies. At the same time, JK realizes that he should ensure food and cleaning supplies for Sunny Times because he has been reading about shortages. Sunny Times already has a food supply contract and a cleaning supplies contract in place with suppliers it has dealt with for many years. Without approaching these suppliers to find out whether or not they will be able to meet Sunny Times’ needs for food and cleaning supplies during the pandemic JK enters into a contract with BB, his brother, for BB to supply cleaning products to Sunny Times for a price of \$25,000 per month for one year. The contract also provides that, at Sunny Times’ request, BB will supply workers to provide specialized cleaning service at a cost of \$35 per worker per hour.

2. Bob is a driver for a Superfast Pizza franchise (the franchisee). On the way to deliver a pizza to a customer Bob has an accident which causes injury. Can the accident victim sue Bob if Bob was negligent? Can the victim sue the franchisee? Can the victim sue the franchisor? What facts might make a difference?