

BUSINESS LAW 14th edition - Cases from chapter 7

CURRIE v CHEVRON USA

CASE: Tracye Currie sued Chevron for "negligently causing" Antoine's death (her daughter). The blame is on Shukla, the Chevron worker who authorized the use of gas pump number one. Muhammad used the pump to cover Antoine with gasoline and then set her on fire with a cigarette.

📌 ISSUE: Was this an act of negligence by Shukla? Is there a breach of due care by Shukla?

- Shukla has a duty of care for providing gas to the clients

📌 RULE:

- Cause of action for negligence: (1) a legal duty of conduct for protecting others against unreasonable risk (2) a breach of standard (3) connection between conduct and injury (4) some loss or damage
- For a party to be held liable: it is not necessary that he should have been able to anticipate AND a showing of prior similar incidents on the property isn't required

📌 APPLICATION: there was sufficient evidence for a reasonable mind to differ the serious and exigent events unfolding before Shukla's eyes.

📌 CONCLUSION: *Judgement in favor of Currie affirmed*

SHAFER v TNT WELL SERVICE

CASE: Car collision between a TNT pickup (Melvin Clyde) and Rodney Shafer. Shafer and his wife sued TNT for "Clyde's negligence, respondent superior, and TNT's negligence". But Clyde had been unemployed an hour before the accident.

📌 ISSUE: Is TNT liable for negligence? (Negligent supervision and entrustment) Is TNT subject to direct liability for its own negligence? Is there duty of reasonable care?

- Respondent Superior: Principals are responsible for the tortious acts of their agent (employee) - "let the master be respondent for his servant"

📌 RULE:

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Kathleen Armour



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Table of Contents Business Law 14th Edition Quinfu

1. Understanding the eBook Business Law 14th Edition Quinfu
 - The Rise of Digital Reading Business Law 14th Edition Quinfu
 - Advantages of eBooks Over Traditional Books
2. Identifying Business Law 14th Edition Quinfu
 - Exploring Different Genres
 - Considering Fiction vs. Non-Fiction
 - Determining Your Reading Goals
3. Choosing the Right eBook Platform
 - Popular eBook Platforms
 - Features to Look for in an Business Law 14th Edition Quinfu
 - User-Friendly Interface
4. Exploring eBook Recommendations from Business Law 14th Edition Quinfu
 - Personalized Recommendations
 - Business Law 14th Edition Quinfu User Reviews and Ratings
 - Business Law 14th Edition Quinfu and Bestseller Lists
5. Accessing Business Law 14th Edition Quinfu Free and Paid eBooks
 - Business Law 14th Edition Quinfu Public Domain eBooks
 - Business Law 14th Edition Quinfu eBook Subscription Services
 - Business Law 14th Edition Quinfu Budget-Friendly Options
6. Navigating Business Law 14th Edition Quinfu eBook Formats
 - ePub, PDF, MOBI, and More
 - Business Law 14th Edition Quinfu Compatibility with Devices
 - Business Law 14th Edition Quinfu Enhanced eBook Features
7. Enhancing Your Reading Experience
 - Adjustable Fonts and Text Sizes of Business Law 14th Edition Quinfu
 - Highlighting and Note-Taking Business Law 14th Edition Quinfu
 - Interactive Elements Business Law 14th Edition Quinfu
8. Staying Engaged with Business Law 14th Edition Quinfu

-
- Joining Online Reading Communities
 - Participating in Virtual Book Clubs
 - Following Authors and Publishers Business Law 14th Edition Quinfu
9. Balancing eBooks and Physical Books Business Law 14th Edition Quinfu
 - Benefits of a Digital Library
 - Creating a Diverse Reading Collection Business Law 14th Edition Quinfu
 10. Overcoming Reading Challenges
 - Dealing with Digital Eye Strain
 - Minimizing Distractions
 - Managing Screen Time
 11. Cultivating a Reading Routine Business Law 14th Edition Quinfu
 - Setting Reading Goals Business Law 14th Edition Quinfu
 - Carving Out Dedicated Reading Time
 12. Sourcing Reliable Information of Business Law 14th Edition Quinfu
 - Fact-Checking eBook Content of Business Law 14th Edition Quinfu
 - Distinguishing Credible Sources
 13. Promoting Lifelong Learning
 - Utilizing eBooks for Skill Development
 - Exploring Educational eBooks
 14. Embracing eBook Trends
 - Integration of Multimedia Elements
 - Interactive and Gamified eBooks

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