

EXAMPLE ON HOW TO ANSWER CASE STUDY?

Sample case :

Farid was a director of Lotos Mall. He instructed his manager to sell some items at the higher price than they advertised. Thus, the company had been sued for misdescription offences. Farid has been blamed for the offence. However, Farid claimed that the company that was to be blame for the offence, not him. Was the offence committed by Lotos Mall or by Farid?

1. Issue :

- a. Whether the company can be blamed solely for the offences or not
- b. Whether Farid can be held responsible for that offences of misdescription of price or the Lotos Mall?

2. Formulation : In Farid situation, Farid should be held responsible for the offence. It is because he had given instruction his manager to sell some of the items at a higher price. When a company commit wrong action, the company cannot think or act by himself to commit such wrong action. Thus we have to look behind the veil of the company to determine the person who shall be responsible for the wrong doing.

3. Legal Principle and supporting case :

Section 20 CA provides that a company incorporated under this Act is a body corporate and shall :

- (a) have legal personality separate from that of its members; and
- (b) continue in existence until it is removed from the register.

Further, **Section 21** states that the companies will have unlimited capacity and will be capable of exercising all the functions of a body corporate and have the full capacity to carry on or undertake any business or activity including:

- (a) to sue and be sued;
- (b) to acquire, own, hold, develop or dispose of any property;
- (c) to do any act which it may do or to enter into transactions.

A company shall have the full rights, powers and privileges for the above purposes.

Supporting case :

In the case of **SALOMON v SALOMON & CO. LTD**

Salomon, a sole trader as a leather and boot merchant sold his business to Salomon & Co. Ltd, a company he formed with his wife and children. Payment for the purchase was partially effected debentures issued by the company to Salomon. The company later went into liquidation and its assets were not enough to satisfy its creditors. Mr. Salomon however claim priority over the other debtors as he was a secured creditor.

Held: Mr. Salomon the creditor is a person separate and distinct from Salomon & Co. Ltd even though Mr. Salomon was the majority shareholder of the company.

LEE v. LEE'S AIR FARMING (1961) AC 12

Mosby Case Study Answers

**Betty Ladley Finkbeiner,Claudia
Sullens Johnson**

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Mosby's Fundamentals of Therapeutic Massage Sandy Fritz,W. Randy Snyder,2009

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Patient Problems in Clinical

Nutrition Mark L. Wahlqvist,Jitka S. Vobecky,International Union of Nutritional Sciences,1987 Abstract The objectives of this manual are to provide examples of nutritional problems in clinical medicine to encourage the readers own self assessment of them and to provide critiques of the problems with some sources for further reading The first section of this publication presents a discussion of the definition of clinical nutrition The second section presents 149 case studies of nutritional problems organized geographically Each case study concludes with questions accompanied by full critiques of the recommended answers supported by references to the literature Section III resources in clinical nutrition includes lists of nutrition texts and journals and food and nutrition tables charts and formula

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Sorrentino, 2003-11 To be used in conjunction with Mosby's Textbook for Nursing Assistants sixth edition **AJN/Mosby Nursing Boards Review**, 1997 A comprehensive outline review of the core content used in NCLEX RN certification exams this resource includes tips for preparing for the exam four sample tests with answers and rationales and reprints of pertinent articles from the American Journal of Nursing New information on infection control guidelines has been added 94 illus

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