

UNIT 2

You Can Be the Judge: Who Is the Real Owner?



INTRODUCTION

This unit deals with a simple but difficult problem. Two people claim that they own the same item. Only one person can be the rightful owner. What makes this case so special is that the real owner will gain one million dollars.

Exercise 2.1



Read this court case about determining ownership of a very important item.

It is common for companies to promote their products by having some sort of competition with large prizes. For example, a company might have a contest to see who can come up with the best slogan to promote a certain product. Another company might ask contestants to write in approximately 50 words why they prefer a particular product.

Soft-drink companies often have competitions that involve both small amounts of money and other prizes. However, Pepsi, a leading soft-drink company, recently had a competition with a very rich prize. To participate in this contest, people had to purchase a bottle of Pepsi and look under the cap on the bottle. Customers could win prizes ranging from a free soft drink to one million dollars!

Because of this contest, two workers in a health foods store recently had a problem regarding a Pepsi. Judy Richardson bought a Pepsi, which she left unopened in the refrigerator at work. Sindy Allen, a co-worker who worked the night shift, saw the soft drink in the refrigerator and decided to drink it. After opening it, Allen discovered that the bottle cap had the million-dollar prize.

Richardson says that the Pepsi was hers and that the million-dollar prize should be hers. Allen says that she found the Pepsi in the refrigerator at work and that there is no way to prove that it is Richardson's drink. She said that she was cleaning the refrigerator and asked if the Pepsi belonged to anyone. Richardson has no receipt for the soft drink. Former co-workers at the store testified that Richardson was practically addicted to Pepsi and that the area where Richardson left the soft drink was the spot where she usually kept her bottles of Pepsi.

Allen offered to split the money with Richardson, but Richardson refused. The winner of this contest would not get a lump sum of one million dollars but rather an annual payment of fifty thousand dollars for 20 years. The two women went to court when they could not resolve this issue amicably.

Exercise 2.2

If you were the judge, would you rule in favor of Richardson or in favor of Allen? _____

Why? Write two or three reasons for your decision. _____

Exercise 2.3

Work in small groups. Discuss your decision and your reasons. When you finish, read communication activity 70 for the result of this case.

Exercise 2.4

Role Play

Work in small groups (four or six people). Each person should do ONE of the communication activities. If there are four people, do 3, 17, 32, and 49. If there are six people, do 3, 17, 32, 49, 65, and 89.

Step 1. What is your communication activity number? _____

Step 2. Write who you are on this line. _____

Step 3. What are your feelings about what happened? Why do you feel this way? Write your responses on these lines.



Step 4. Now work in groups. You are the person in step 2. Introduce yourself. Tell your opinion of the problem. Tell the group what you think should happen and why. Feel free to ask the other members questions or to comment on their statements during the discussion.

Exercise 2.5

Useful Proverbs and Sayings

Here are some sayings in English that are related to the details of this case. What does each mean? How could it be related to this case?

- a. "Finders keepers, losers weepers."

Meaning: _____

Relation to this case: _____

b. “Do unto others as you would have them do unto you.”

Meaning: _____

Relation to this case: _____

c. “Possession is 9/10 [nine-tenths] of the law.”

Meaning: _____

Relation to this case: _____

Exercise 2.6

Work in small groups (three or four students). Discuss your answers to exercise 2.5.

**Language Review**

Read the key word or phrase (in bold) in the left column. Circle the letter of the choice that is related to the key word or phrase.

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|-------------------------|-----------------------|----------------------|------------------|
| 1. split | a. help | b. divide | c. decorate |
| 2. annual | a. once a day | b. once a month | c. once a year |
| 3. slogan | a. advertisement | b. legal problems | c. drinking item |
| 4. approximately | a. most of the time | b. the same amount | c. more or less |
| 5. range | a. vary | b. look at carefully | c. suggest |
| 6. amicably | a. like friends | b. like thieves | c. like children |
| 7. cap | a. on the bottom | b. in the bottle | c. on the top |
| 8. contest | a. answer | b. competition | c. kind of drink |
| 9. regarding | a. under | b. in order to | c. about |
| 10. involve | a. include | b. explain | c. omit |
| 11. purchase | a. understand | b. buy | c. travel |
| 12. resolve | a. find a solution to | b. smile at someone | c. eat too much |
| 13. come up with | a. produce | b. control | c. justify |
| 14. testify | a. in a courtroom | b. in a restaurant | c. in a factory |



Be sure to visit <www.press.umich.edu/esl> for ideas on related Web sites, videos, and other activities.
