

UNIVERSITE PANTHEON-ASSAS (PARIS II)

Droit – Economie - Sciences sociales

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Année d'étude : Première année de Master Droit

Discipline : Anglais juridique Master
(Unité d'Enseignements Complémentaires 2)

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1. Complete the sentences. ONE sentence only. Add a minimum of 15 and a maximum of 45 words. 30% of the grade.

1. Pursuant to the egg-shell skull rule
2. While pure economic loss
3. Unlike invitations to treat
4. In cases of duress
5. As long as both parties agree

2. Case study (70% of the total grade, consisting in 40% for tort and 30% for contract)

“Elite residence” is a brand-new building facing the panoramic viewing platform of the Tate Modern Gallery in London. In their commercial flyer, the developer described the building as making residents feel “on top of the world with an absolute sense of privacy and security”. Regarding security, the developer claimed to have a state-of-the-art security installation. As to privacy, the building was equipped with patented glass panes which block outside viewers from seeing the inside of flats. However, when it gets dark outside and the light is on inside, people standing outside can see inside the flats.

Serena and Victoria McGuire have bought a £14 million flat on the 17th floor. Victoria McGuire is the leader of the Green Party and an MP for Chelsea and Fulham.

On November 8th 2018, at 18:53 a freelance journalist, Jake Sayeb who was standing on the Tate Gallery’s viewing platform, saw Victoria McGuire hosting a party whose ten guests included the most powerful fossil fuel lobbyists in the world, including the chairman of the Fracking and Shale Gas Society. He immediately took a photograph of all ten men laughing together with Ms McGuire and sent it to his girlfriend Elisa Patel via an email entitled “For your eyes only”. Right after receiving the photo and email, Ms Patel posted the photo on Twitter with the hashtag VictoriaMcGuirecorruptliar. The photograph went viral and at 22:23, it had been retweeted 22,000 times.

The next day the McGuires left for a short stay in the Lake District. Having recognised the location and floor of the building on the picture, a group of violent activists broke into the building and managed to open the door of the McGuires’ flat. They then trashed the flat, ripping furniture, tossing rubbish around and destroying valuable pieces of art.

The McGuires wish to bring claims on the ground of tort and contract against the various parties involved in this string of events.

1. What are their potential claims and remedies under tort law? (40%)
2. What are their potential claims and remedies under contract law? (30%)