VCE Legal Studies 2018–2023

Appendix 6 – Plaintiff vs Defendant

Unit 1 Area of Study 3

| Read through the following case studies and identify key concepts of civil law. | Identify the plaintiff and defendant | Type of civil action | Identify the damages sought | Which court would hear the case? |
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| 1. The Victorian Government wishes to challenge the validity of a United Nations Treaty in the constitution against the Commonwealth. |  |  |  |  |
| 1. Nancy (26 years old) wishes to Challenge the words ‘Absolutely Free’ in the High Court. The Department of agriculture has placed limitations on her ability to trade. |  |  |  |  |
| 1. Caitlyn wishes to sue Emily for breach of contract. The amount sought is $400,000. |  |  |  |  |
| 1. Kara has taken action against Georgia for defamation and won. The amount sought was $5,000. Georgia was not happy with this and wants to appeal. |  |  |  |  |
| 1. Claudia has a dispute with her neighbour Gemma, about overhanging trees. They cannot resolve their dispute and need an independent third party for assistance. |  |  |  |  |
| 1. In a commercial agreement Black wish to settle out of court and have her agreement register in court. White is agreeable to this. |  |  |  |  |
| 1. Brittany wants to have her case arbitrated as the amount is $1750.00. Georgia is keen on having her day in court. |  |  |  |  |
| 1. Emilio who works for BHP claims breach of contract by Oliva who works for Rio Tinto involving the sum of $1,152,000. |  |  |  |  |
| 1. Karine is injured when a wheelbarrow being carelessly pushed by John a construction worker who strikes her. Her claim for compensation amounts to $12400. |  |  |  |  |
| 1. Cassandra, a 14-year-old girl, wishes to split from her parents due to family difference, however, the counselor; Laura has recommended that counseling take place. |  |  |  |  |
| 1. Amy is claiming compensation of $450,000 for a commercial agreement that went wrong against Jimima Pty Ltd.. |  |  |  |  |
| 1. Michelle is claiming her family’s ‘Will’ did not adequately provide for her. The estate is not interested in negotiating. |  |  |  |  |
| 1. Olivia is claiming compensation from Shara in a newspaper article. The claim for defamation amounts to $1.2 million. |  |  |  |  |
| 1. Isabelle is upset that her neighbour Taylor has shouted out nasty rumors about her in a public place. She wishes to sue but is not sure which court to take it to? |  |  |  |  |
| 1. Jemima has been hurt to the carelessness of Jenny as she was driving down the street. Jemima wants to be compensated for harm done. |  |  |  |  |