

Shelley the Bridesmaid

The Canyon Resort and Spa is a Luxury property in Sedona Arizona, known for its service, spa cuisine and its location in one of the most beautiful parts of Sedona. Two months ago, in an effort to become more efficient, the resort contracted out the spa services to an outside company; AZ spa Inc. a well-known and highly reputable spa. The spa offered many amenities including massage, hair and nail services as well as eyebrow and body waxing. Shelley Grant thought that this would be the perfect venue for a girl's trip and bachelorette weekend for her best friend Sarah Hall. Being a good friend, Shelley spared no expense; as she booked Sarah for several spa services including a hair and make-up trial and an eyebrow waxing.

On Saturday morning after a light breakfast Sarah went for her eyebrow appointment. As she entered the room she noticed that the esthetician was nervous and fidgety. Sarah concern grew as she watched the woman fumble around with the hot wax and other equipment. My wedding is a week away, I have to look me best, she thought to herself. Sarah's concern grew as the hot wax got closer to her face; she closed her eyes and took a deep breath. Finally it was over, as the woman handed Sarah a mirror, she was shocked to see her reflection. It was beautiful, perfect; her eyebrows never looked to good!

Shelley on the other was not so lucky. Seeing how good Sarah looked she made an eyebrow waxing appointment for herself. In the process, the esthetician dropped a glob of hot wax that badly burned Shelley's eye and upper eyelid. She required minor surgery and was required to wear an eye patch for the next 3 weeks. How can I be in Sarah's wedding looking like a pirate? she thought to herself. After a tearful conversation, Sarah agreed not to make Shelly stand up for her at her wedding, instead Shelley attended the wedding in a pair of stylish dark glasses; thankfully it was an outdoor daytime wedding.

Immediately after the wedding Shelly filed suit with the Canyon Resort and AZ spa Inc. She was suing for both compensatory and punitive damages claiming that the esthetician, although licensed, was not properly trained. She also was suing for the cost of her bridesmaid dress, shoe's and jewelry claiming that her injuries prohibited her from being in Sarah's wedding.

- Did the Canyon Resort violate their obligation of duty of care to Shelly?
- Does Shelly have a case against either of the above listed defendants?
- Does Shelly have a case in terms of punitive damages? Explain.
- Do you think Shelly should recover damages for the cost of her wedding attire?

