

3. Please write a response to the following letter.

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John Doe
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My Cousin
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Dear Cousin:

I hate to bother you during your exams, but I understand you just took a course in Conflict Theory. I am in the middle of a problem and thought you might be able to help me understand what's going on and what I should or should not do about it.

As you know, I have expanded my business activities beyond my basic dental practice in the five years since the death of my beloved wife, your Aunt Miriam (may she rest in peace!). About two years ago I went into a computer software partnership with a young man, Fred. The basic deal was that I would fund the partnership, and serve as general managing partner, while Fred provides the technical expertise and runs the shop.

Now, Fred's family lives down the street, and I have known him since he was a little boy. His mother and I have been friends for years. Fred has always had an odd streak about him, always been a bit of a loner who didn't fit in easily. By contrast, his slightly older brother was the quarterback on their high school football team. While others had questions about Fred, I always felt he was a smart, creative kid with a lot of talent who just needed a break. Unlike the rest of our neighborhood, his family really didn't have any money to speak of, and was pretty dysfunctional as I always saw it.

Fred showed me a lot of respect when he first pitched the idea of the company to me, and even said I reminded him of his father. Given that Miriam and I had no children, as you know, that really made me feel good. I saw this as an opportunity for Fred to make something of himself by writing and marketing computer programs for small businesses, and to give me a chance to take advantage of my considerable business talents.

At the beginning things were relatively smooth. We launched a couple of products, and moved from a home office into a real office, with a part-time secretary, Della, who Fred and I both knew from the neighborhood. We met regularly to go over the business, but I was generally able to leave the day-to-day to him. I must say, he had a pretty good feel for the kinds of decisions I would make if he would have asked me.

And then the AbouTime project came along. Fred approached me in April of this year to "seek

my wisdom” about an idea for a new computer software program for scheduling, planning and billing that he called AbouTime. I liked the name, but didn't think it was a good idea from a marketing perspective because there are so many other similar programs on the market. Besides, we already had enough products; he needed to spend his time on marketing, not new products. So, I rejected the idea, a right I think our partnership agreement specifically gives me. He gave me an argument, and even muttered something about developing it anyway “on his own time,” but I didn't really take it seriously. With an important part of our marketing campaign coming up, a new project was just out of the question.

You can imagine my astonishment when he came to me on Sept. 13, on the eve of our holiday push, and told me that he had developed AbouTime anyway and that he was about to enter into a marketing and production contract with another company.

Well, I called him up at the office and when he heard it was me, he hung up. I called back and told him he had proceeded without my permission, and that as far as I was concerned AbouTime is the property of the partnership. He blew me off by saying he was busy and that he would talk to me later.

When he didn't call after a week, I went to the office. I have to admit that by now I was starting to get ticked off. I got a cool reception from our secretary, who told me they were real busy. When I went into Fred's office, he seemed startled to see me, and looked at the secretary. Obviously he had told her to get rid of me. He started mumbling something about how much he has appreciated my support, and after what seemed like an eternity of this gibberish, I told him to act like a man and get to the point.

Well, Fred totally lost it. He got a crazy look in his eyes, like some kind of wild animal, and he said I had to stop treating him like a child and that he was going forward with the AbouTime deal. He said it was his idea, that he had developed the program on his own time (nights and weekends), and that he could sell it to the other company if he wants to.

I told him to stop lying to me, and that I knew he was lying to me because I went back and looked at our sales volume and receipts since April, and found that are way down -- way off of our planned forecasts and projections. I realized immediately that he had just been jerking me around for the last several months, working on AbouTime when he should have been marketing our other products.

Then, with that wild look in his eyes, he blurts out "You frigging dentist! What the hell do you know about computers! Why don't you get out of here and go fill some cavities!" He then launches into this tirade about how I never took him seriously, how I kept his computer genius from being recognized through my “stupid business decisions,” and how he and our business partners have been calling me “the weakest link” for months. (I still don't understand that last one.)

After getting over my shock, I told him again about my rights and his obligations under the contract. He wouldn't listen. He just kept shouting that AbouTime was his property, and that he can do anything with it that he wants. I finally told him we'll go to court, and gave him the

business card of my attorney, Kareem “Tiger” Truman. He just scoffed “You’re just like all of the other capitalist pigs.”

Well, I walked out, only to arrive home to an answering machine with *three* messages: One from the company he is going to sell AbouTime to, threatening to sue me for tortious interference with business relations if their deal with Fred fell through. (Just so you know, that deal still hasn’t happened yet.) The second call was from his mother, of all people – the executive director of our community’s Chamber of Commerce – wanting to know why Fred was so upset with his job. Finally, the last one – and this one really got me – was from a reporter for the local newspaper who said he was doing a story on conflict in partnerships, asking me to return his phone call after he returned from dinner that evening. I didn’t, of course.

We haven't spoken since then, and I don't know what to do. I have sunk a lot of money into this partnership and this year we would have finally turned a profit if Fred hadn't been spending all of his time on AbouTime. On the other hand, I can't stand the thought of working with this ungrateful punk, and think he's pretty fungible, just like the rest of those arrogant “creative types.” Frankly, I think he needs to be taught a lesson, and one that really hurts, if you know what I mean. AbouTime is mine under the contract as far as I am concerned, and my instinct is to sue him until he bleeds.

Cousin, really, I was just trying to be helpful to someone, and turn a profit. What's the old saying, no good deed ever goes unpunished! I have to decide what to do next, and I would really appreciate your thoughts about how we got to this point, and any thoughts you may have on what I should or shouldn't do next. (Don't worry about the contract issues. I know I am right on that.)

Love to the family,

John

P.S. Sorry for going on so long. This thing really has me tied up in knots. You know how it goes.