Volume 23, Number 2

Prnt ISSN: 1078-4950 Online ISSN: 1532-5822

# JOURNAL OF THE INTERNATIONAL ACADEMY FOR CASE STUDIES INSTRUCTORS' NOTES

# **Editor**

Dr. Kavous Ardalan, Marist College, School of Management

The Journal of the International Academy for Case Studies is owned and published by Jordan Whitney Enterprises, Inc. Editorial content is under the control of the Allied Academies, Inc., a non-profit association of scholars, whose purpose is to support and encourage research and the sharing and exchange of ideas and insights throughout the world.

Authors execute a publication permission agreement and assume all liabilities. Neither Jordan Whitney Enterprises nor Allied Academies is responsible for the content of the individual manuscripts. Any omissions or errors are the sole responsibility of the authors. The Editorial Board is responsible for the selection of manuscripts for publication from among those submitted for consideration. The Publishers accept final manuscripts in digital form and make adjustments solely for the purposes of pagination and organization.	
The <i>Journal of the International Academy for Case Studies</i> is owned and published by Jordan Whitney Enterprises, Inc, PO Box 1032, Weaverville, NC 28787, USA. Those interested in communicating with the <i>Journal</i> , should contact the Executive Director of the Allied Academies at <a href="mailto:info@.alliedacademies.org">info@.alliedacademies.org</a> .	
Copyright 2017 by Jordan Whitney Enterprises, Inc, USA	

# EDITORIAL BOARD MEMBERS

Timothy B. Michael,

University of Houston Clear Lake

Bin Jiang

DePaul University

Issam Ghazzawi,

University of La Verne

Jeff Mankin,

Lipscomb University

Devi Akella,

Albany State University

Ismet Anitsal,

Tennessee Tech University

Mohsen Modarres.

**Humboldt State University** 

**Durga Prasad Samontaray**,

King Saud University Riyadh

Russell Casey,

Penn State University Worthington Scranton

Harlan E. Spotts,

Western New England College

Mohsen Modarres,

California State University Fullerton

Art Warbelow,

University of Alaska

Irfan Ahmed,

Sam Houston State University

Joe Teng,

**Barry University** 

William Brent,

**Howard University** 

Karen Paul,

Florida International University

Werner Fees, Georg Simon Ohm

Fachhochschule Nuernberg

Michael Broihahn.

**Barry University** 

Ida Robinson Backmon,

University of Baltimore

Eugene Calvasina,

Southern University

S. Krishnamoorthy,

Amrita Institute of Management

James R. Maxwell, State University of New

York College at Buffalo

Jennifer Ann Swanson,

Stonehill College

**Martine Duchatelet**,

Purdue University Calumet

Linda Shonesy,

Athens State University

Dave Kunz.

Southeast Missouri State University

Steve Betts, Lisa Berardino,

William Paterson University SUNY Institute of Technology

Mike Evans, Robert D. Gulbro,

Winthrop University Athens State University

Edwin Lee Makamson, Scott Droege, Mississippi State University

Hampton University Meridian Campus

Michael H. Deis. John Lawrence.

Clayton College & State University University of Idaho

William B. Morgan, Steve Loy,

Felician College Eastern Kentucky University

Thomas Bertsch, Lisa N. Bostick,

James Madison University The University of Tampa

Rashmi Prasad, Allan Hall,

University of Alaska Anchorage SUNY Institute of Technology

Jack E. Tucci, Michael McLain,

Marshall University Hampton University

Henry Elrod, Joseph Kavanaugh,

University of the Incarnate Word Sam Houston State University

Inder Nijhawan, Jeff W. Totten,

Fayetteville State University Southeastern Louisiana University

Prasanna J Timothy, Gary Brunswick,

Karunya Institute of Tehnology Northern Michigan University

Wasif M. Khan, Steve Edison,

Lahore University of Management Sciences University of Arkansas at Little Rock

Narendra Bhandari, Steve McGuire,

Pace University California State University

Kenneth K. Mitchell, Adebisi Olumide,

Shaw University Lagos State University

Clarence Coleman, Harriet Stephenson,

Winthrop University Seattle University

W. Blaker Bolling, Joesph C Santora,

Marshall University ENPC

Steven K. Paulson, Todd Mick,

University of North Florida Missouri Western State University

Troy Festervand, Jonathan Lee,

Middle Tennessee State University University of Windsor

Sherry Robinson, Sujata Satapathy,

Penn State University Indian Institute of Technology

William J. Kehoe, Andrew A. Ehlert,

University of Virginia Mississippi University for Women

Jim Stotler, Philip Stetz,

North Carolina Central University Stephen F. Austin State University

Thomas T. Amlie, Thomas Wright,

Penn State University University of Nevada Reno

Joseph Sulock, Greg Winter,
UNC Asheville Barry University

Terrance Jalbert, Herbert Sherman,
University of Hawaii Southampton College

Anne Macy, Elton Scifres,

West Texas A&M University Stephen F. Austin State University

Heikki Heino, D.J. Parker,

Governors State University University of Washington

Yung Yen Chen, Joseph Ormsby,

Nova Southeastern University Stephen F. Austin State University

Sanjay Rajagopal, Paul Marshall,

Montreat College Widener University

Joseph J. Geiger, Rod Lievano,

University of Idaho University of Minnesota

Michael Grayson, John Lewis,

Jackson State University Stephen F. Austin State University

Marla Kraut,

University of Idaho

Marlene Kahla,

Stephen F. Austin State University

Barbara Fuller,

Winthrop University

Art Fischer,

Pittsburg State University

Carol Bruton,

California State University San Marcos

Bob Schwab,

Andrews University

Carol Docan,

CSU, Northridge

Marianne L. James,

California State University

Charlotte Allen,

Stephen F. Austin State University

Kavous Ardalan,

Marist College

Joe Ballenger,

Stephen F. Austin State University

Barbara Bieber Hamby,

Stephen F. Austin State University

Thomas M. Box,

Pittsburg State University

Mike Spencer,

University of Northern Iowa

Wil Clouse,

Vanderbilt University

# TABLE OF CONTENTS

CJ FRESEWAY'S CHALLEDGES
DISCHARGING STUDENT LOANS IN BANKRUPTCY: GOOD LUCK WITH THAT
SYSTEMS ANALYSIS, DESIGN, AND DEVELOPMENT CASE STUDY: MEDALLION THEATRE – TICKET SALES SYSTEM
SYSTEMS ANALYSIS, DESIGN, AND DEVELOPMENT CASE STUDY: SARAH'S SHORT CAKES – SALES ORDER SYSTEM
DR. SHOPPING, HER BUSINESS PARTNER, AND THE NEW RETAIL STORE  EXPERIENCE
AN ENTREPRENEURIAL MARKETING DILEMMA: THE CASE OF THE MELTED BUTTONS

# CJ FRESEWAY'S CHALLEDGES

Seungyeon Lee, Ewha School of Business, Ewha Womans University Yewon Lee, English Language and Literature, Ewha Womans University Seungho Choi, Ewha School of Business, Ewha Womans University

# **INSTRUCTOR'S NOTE**

#### CASE DESCRIPTION

This case describes how CJ Freshway enlarges in the food distribution industry utilizing its resources and reputation. It also forms joint venture with the local distributors in the name of Freshone to deal with the public opinion and gain local consensus. This case provides an overview of CJ Freshway within the food distribution industry. The case has a difficulty level of three, appropriate for junior level. The case is designed to be taught in one class period and is expected to require two hours of outside preparation by students.

#### CASE SYNOPSIS

CJ Freshway is the first large company to enter the food distribution business. They cover a wide range of the food distribution business in Korea. With the reputation of its parent company CJ Group in Korea, they could attract a number of customers, who are restaurant owners and franchise restaurant brands. CJ Freshway formed joint ventures called Freshone with small-medium sized food ingredients distributors by obtaining 51% or more of total share. Attracting more local distributors to join Freshone is vital for CJ Freshway to expand the business and get competitive advantage. Through joint venture, CJ Freshway could leverage the tacit knowledge and networks of the local distributors. Also, CJ Freshway could respond to the social atmosphere that requires coexistence with small businesses. By joining Freshone, distributors can secure stable income and shorten the distribution process with the advantage of CJ Freshway's system.

However, CJ Freshway's market share is only between 2-3% in the B2B section of food distribution industry. They are still the market leader, yet considering the profit earned, CJ Freshway has a long way to go. Furthermore, CJ Freshway underwent the conflict with local distributors. The conflict caused CJ Freshway loses trust from local distributors. What should CJ Freshway do in the food distribution market for sustainable competitive edge?

- 1. What are the success factors of CJ Freshway?
  - Synergy with CJ Group

CJ Freshway gained synergy effect with the following subsidiaries of CJ group: CJ CheilJedang, CJ Foodville and CJ Korea Express. CJ CheilJedang, a food manufacturing company, collaborates with CJ Freshway as it purchases food ingredients used to manufacturing processed food items. At the same time, CheilJedang help CJ Freshway in developing Private Brand products. CJ Foodville has many restaurant brands and it is also another big customer of CJ Freshway. Lastly, CJ Korea Express is a logistics company and it supports CJ Freshway with efficient distribution system.

#### - Joint venture structure of Freshone

CJ Freshway formed joint venture with small-medium sized food distributors to enlarge theirmarket share. In B2B market of food distribution industry, there are thousands of small-medium sized distributors. By attracting these local distributors to join Freshone, the revenue and market share of CJ Freshway increased. As the quantity of food ingredients increases by attracting small-medium sized distributors, there is a higher possibility for CJ Freshway to gain more bargaining power with the suppliers. In addition, CJ Freshway can benefit from the network and know-how of the small-medium sized distributors. The network with local restaurants and know-how on sales and customer management can enhance competitiveness of CJ Freshway.

# 2. What strategy did CJ Freshway came up with to increase its profit margin?

- Freshone as a joint venture

CJ Freshway decided to pursue joint venture model as a way to realize ecomonies of scale. This is because businesses in the food industry find it hard to record high profits compared to other industries. Sysco, the most dominant food distribution business in USA, have margin of about 4% which is relatively low compared to its overall scale. Distribution is more about process and shortening the steps between producers and consumers. This leads firms to leverage economies of scale. Thus, the firms in the food distribution industry tend to pursue M&A or joint venture. However, due to the environmental reasons in Korea, chaebol is regarded to destroy the local markets and thus pursuing M&A is heavily criticized. Therefore, CJ Freshway formed a joint venture called Freshone with the small-medium sized distributors to grow.

# 3. What are the current strategic issues for CJ Freshway in utilizing Freshone?

- Conflict between CJ Freshway and local distributors

CJ Freshway should utilize the Freshone to further grow in the industry by obtaining more small-medium sized distributors. Yet, CJ Freshway pursued the strategies that had characteristics of M&A in reality and tried to build C&C centers, which ended up breaking the trust of the distributors toward CJ Freshway. It eventually hindered CJ Freshway from attracting the distributors.

CJ Freshway tried to make C&C center in Busan, which was greatly opposed by local distributors. Through C&C, CJ Freshway may have excluded the small-medium sized distributors from the food distribution process by direct contact with the consumers. Thus, CJ Freshway's plan to build C&C in Busan ended up in failure.

CJ Freshway aimed to expand in the market using joint venture. Small-medium sized distributors and the public opinion are positive toward joint venture compared to M&A. However, CJ Freshway also increases their shares in Freshone centers which were thought to be fixed at 51% in the beginning. Since shares of CJ Freshway could take up more than 80% then it is virtually M&A with the title of joint venture. As the shares of local distributors decrease, the profit they obtain would decrease. It eventually has negative impact on the motivation of distributors to join Freshone. (Yang 2015).

- Poor communication between CJ Freshway and Freshone distribution centers

CJ Freshway is currently not utilizing the knowledge of local small-medium sized distributors. CJ Freshway sends three employees of HR department to each local Freshone distribution center for monthly meetings to share the performances. However, it is a critical problem that the tacit knowledge within the Freshone center is not shared enough through these

# meetings.

The Freshone centers located near Seoul are going through the same challenges of attracting more medium sized distributors, while the others are struggling to obtain more small sized distributors. Thus the absence of effective communication among the centres shows that the regular meetings in the head office are not working well.

# 4. How can CJ Freshway make further progress in the future?

### - Rebuild the trust of distributors

CJ Freshway should rebuild trust between the company and the distributors. They should first avoid making C&C centers. C&C is a strategy of Daesang Bestco and it is a convenient way of distributing food ingredients. It will be effective in enlarging the customer base. However, C&C provide food ingredients directly to the local restaurant owners. This may arouse negative impact on small-medium sized distributors, who have already joined Freshone.

Increasing the shares of CJ Freshway from 51% to above should also be prohibited to satisfy the public and local distributors. They should proceed with the strategy of the beginning and remain the same. Co-evolution is the key to gaining positive image and avoiding criticism. As mentioned before, Freshone is a joint venture and it allows the counterparty, small-medium sized distributors, to maintain their distribution business. Furthermore, they gain certain benefits by joining Freshone, mainly welfare and security. However, ownership in the operations management of business is handed over to CJ Freshway and that may seem a loss of control to small-medium sized distributors. Thus, CJ Freshway should utilize its strength, Freshone, to enhance the benefits distributors can enjoy and decrease the potential losses the distributors might face.

The loss that small-medium sized distributors undergo can be summed up into following. First, distributors are not able to gain power of the overall management. Also, during the time right after joining Freshone, distributors might undergo certain decrease in revenue. They now get paid by CJ Freshway rather than directly earning from the businesses. As an employee of CJ Freshway, they are provided with stable monthly income, yet it may be lesser than the high peaks of their income they gained before joining Freshone.

To reduce such losses, CJ Freshway should give them the right to make agreements on the critical decision regarding the management. CJ Freshway should also ask the small- medium sized distributors to give them feedback on their managerial decisions. For example, they should plan a weekly meeting between the Freshone managers from CJ Freshway and the small-medium sized distributors to enhance the communication.

# - Enhance knowledge sharing and communication

Knowledge sharing should be enhanced between CJ Freshway headquarter and Freshone. According to the interview, 3 employees from the HR are sent from CJ Freshway to each Freshone centers. These employees gather up once a month in the headquarter of CJ Freshway in Seoul. According to the interview with the managers of Freshone Busan and Daegu, these dispatched employees are the only channel for Freshone to communicate with CJ Freshway. However, Freshone centers should be able to share their tacit knowledge and know-hows coming from experiences to further develop. It is thus necessary to form a standardized database in order to effectively manage the operation in the whole. The problem is that there's no such implementation yet. To make sharing feasible, CJ Freshway should act as a channel for Freshone centers to communicate. Due to the regional restrictions, it would be very hard for Freshone to interact with each other directly. To add, according to the interview with managers of Freshone

Busan, Daegu and Gang-nam, Freshone centers do not interact with each other at all. The monthly meeting held in headquarter with the HR employees is the only connection between Freshone centers. CJ Freshway should acquire managers who deal with actual operation in the meeting as well. For example, an article introduces the story of Sang Jin Park (small-medium sized distributor of Freshone Nam-Seoul). His know-how on attracting the customers is shown in the article (Lee, 2012). He always tries to have a short talk with his customers whenever he visits them, regarding their business.

# - Utilize Private Brand products to attract more distributors

Developing Private Brand products can help CJ Freshway differentiate itself from other competitors and attract more distributors. Local distributors would be able to increase profit by making use of the PB provided by CJ Freshway. It is suggested that CJ Freshway should utilize their PB and exclusive brands, just like Sysco. CJ Freshway already has its own private brands called "It's well", and "Freshway". Although it seems a great advantage that they have their own PB, it is necessary to further develop those brands.

Diversifying PB product lines targeting various customers would be feasible. Sysco, the leader in the US and Canada's food distribution industry is thought of successful due to many reasons, and one critical key to their success is that they have diversified PB products. Sysco positioned their private brands not as substitutes of national brands but as unique and different. Unlike national brands, Sysco's private brands are developed in a convenient quality and size for restaurants to cook. Their PB products have different levels ranging from supreme, imperial, classic and reliance (Kim, 2014). This shows how Sysco is successfully managing their PB as their competitive advantage. On top of that, Sysco has their exclusive brands like Portico, Bakersource, Citavo, Chefex, Casa Solana and so on. These offer their customers with high value adding businesses. As for PB products, the gross profit margin is

22.6 % in year 2014, which is 5.2 % higher than that of National Brands. CJ Freshway should try to make similar brand structure.

#### **ACKNOWLEDGEMENT**

Seungho Choi is a corresponding author (Tel: +82-2-3277-4138, choise@ewha.ac.kr).

# DISCHARGING STUDENT LOANS IN BANKRUPTCY: GOOD LUCK WITH THAT

Michael Forrest, University of the Incarnate Word Joseph Labatt, University of the Incarnate Word Robert Swartz, San Antonio

# **INSTRUCTORS' NOTES**

# **CASE DESCRIPTION**

This case speaks to the real financial fears resulting from burdensome student loan debt experienced by millions of students upon leaving college. Unlike other types of debt obligations held by creditors, student loan debt falls into a special category and is not readily dischargeable in bankruptcy, absent proof of "undue hardship" that precludes paying back the loans. The major topics of the case are bankruptcy, consumer protection, legal environment of business, and ethics. Given the applicability of the topic to students who will soon be obligated to make student loan payments, the case is appropriate for students in a business law class that covers bankruptcy. The case is designed to be taught in one class period, with the expectation that students will have spent two hours in preparation outside of the classroom.

## CASE SYNOPSIS

In his 2016 State of the Union address, President Barack Obama argued that "We have to make college affordable for every American. No hardworking student should be stuck in the red." Indeed, "stuck in the red" is an all too common condition for American students. Outstanding student debt in the United States, by some estimates, stands at \$1.2 trillion, held by borrowers numbering in the tens of millions. For these debtors, what began as an optimistic investment in higher education has turned to deep disillusionment and a sense of betrayal. High paying jobs students counted on too often fail to materialize. Instead, college graduates are caught in a perpetual struggle to manage high loan payments. What follows is a story of one such student.

The case chronicles the vicissitudes of Rory Grette, who borrowed money to pay for a prestigious undergraduate degree and graduate school that he did not finish. A family crisis, economic downturn, lost job, consumer debts, and unexpected medical bills left Rory in financial straits. He seeks to discharge his student loans and other debts in bankruptcy. The question is whether the required payment of his student debt constitutes an "undue hardship."

# RECOMMENDATIONS FOR TEACHING APPROACHES

This case should be introduced with a basic introduction into how federal bankruptcy operates to liquidate debt, albeit not all types of debt. The case examines the specific category of student loan debt and the limited remedies available for its discharge under bankruptcy. First, students should understand the goals of bankruptcy, who benefits from the process, and why

certain categories of debt, such as student loans, receive less favorable treatment for the debtor. Turning from the general to specific, students can explore news accounts and/or primary court opinions in the matter of *Tetzlaff v. Education Credit Management Corporation*, a case that inspired the creation of this case study. *Tetzlaff* was litigated in the federal courts at the trial and appellate levels, with published opinions in 2014 and 2015, respectfully. The United States Supreme Court, in January 2016, denied review of the issue of whether student loans can be discharged in bankruptcy, leaving some uncertainty in the law because different intermediate courts have provided varied approaches in assessing student debtors' financial hardships. As with most legal issues, the legal test applied to the facts determines the outcome. What is the predictable legal consequence from the application of each of the three tests? Should the United States Supreme Court, if presented with this issue in the future, settle the split in the circuits and bring more certainty to the issues of discharging student loan debt in bankruptcy?

# **BACKGROUND OF THE LAW**

# Bankruptcy Law 101: Providing a Fresh Start for the Debtor

"The law of bankruptcy provides possible solutions to problems that arise when a person . . . is unable, or finds it difficult, to satisfy obligations to creditors" (Morgan, 2015, p. 820). Put plainly, bankruptcy gives a debtor the chance to start over, either by restructuring debt or liquidating it. The two federal laws controlling the process are the Bankruptcy Reform Act of 1978 and the Bankruptcy Abuse Prevention and Consumer Protection Act of 2005. These statutes set up three avenues to dispose of debt. Under Chapter 13 of the Bankruptcy code, the debtor works under the supervision of a trustee to create a payment plan that reduces the amount of debt to a feasible amount that can be paid off under a payment plan extended over three to five years (Morgan, 2015, p. 828). Typical Chapter 13 plans apply to debtors with unanticipated large medical bills, out of control credit card balances, and other consumer debt.

Chapter 11 bankruptcy provides for a reorganization of debt such that creditors are paid over an extended period, based on a plan formulated in consultation with a committee of one's creditor (Morgan, 2015, p. 825). Rather than addressing consumer debt, Chapter 11 is usually applicable to businesses and rich people wanting to restructure their obligations to creditors.

Chapter 7 bankruptcy liquidates the debtor's obligations to creditors (Morgan, 2015, p. 825). Debts that are included in a Chapter 7 proceeding are satisfied in whole or part by a trustee who takes control of the debtor's assets, such as houses, cars, bank accounts, and personal possessions. The trustee then sets aside for the debtor certain items "exempt" from bankruptcy, such as the house with a homestead exemption, one car per driver in the family, furniture, clothing, and tools of one's trade. The remaining assets are divided among the creditors, with the class of secured creditors (those who took collateral in the loan) paid first, and the class of unsecured creditors (such as credit card companies) paid last. If the assets are not sufficient to satisfy all of the obligations of the class, the creditors take a pro rata share of the assets. In practice, this could leave the class of secured creditors receiving pennies on the dollar for the credit they extended, and the class of unsecured creditors with no satisfaction. The debtor, however, is debt free following the bankruptcy.

What complicates a Chapter 7 bankruptcy that is pertinent to this case study is certain categories of debt cannot be discharged in bankruptcy. Title 11, section 523(a)(8)(B) of the United States Code provides:

- (a) A discharge under . . . this title does not discharge an individual debtor from any debt— . . .
- (8) unless excepting such debt from discharge under this paragraph would impose an undue hardship on the debtor and the debtor's dependents, for . . .
- (B) any other educational loan . . . incurred by a debtor who is an individual . . . .

This provision proscribes discharge of student loans except where requiring payment would constitute an undue hardship. Courts in different jurisdictions of the country have interpreted and applied "undue hardship" in three different ways. This has led to a "split in the circuits" (a term of art for when two or more appellate courts rule differently on the same legal issue). Oftentimes, when there is a circuit split, the U.S. Supreme Court takes up the issue on a petition for *certiorari* to settle the matter. The High Court had such an opportunity with *Tetzlaff* and declined. Thus, an air of uncertainty clouds this area of the law.

An instructive article by Gubbiotti (2015) outlines the split in the circuits over discharge of student loans in bankruptcy.

# 1. The Totality of the Circumstances Test

The totality of the circumstances test is applied in the Eighth Circuit. There are 13 judicial circuits. The Eighth comprises federal courts in the following states: Arkansas, Iowa, Minnesota, Missouri, Nebraska, North Dakota, and South Dakota. The controlling law in federal courts sitting in this Midwestern region is *Long v. Educational Credit Management Corporation* (*In re Long*), 322 F.3d 549 (8th Cir. 2003). Long was a chiropractor who financed her education with student loans. She practiced for several years but had to quit because of extreme fatigue, depression and declining mental capacity. The bankruptcy court found that her mental condition was persistent and interfered with her earning potential. Long moved in with her parents, took a job unrelated to her training as a chiropractor, and spent the bulk of her earnings on household expenses and community college classes in a new field of study. Fortunately for Ms. Long, the bankruptcy court granted her an undue hardship discharge so that she would not be "sentenced" to 25 years of payments on a debt she would not likely retire or reduce. (*In re Long*, 2003.)

In evaluating the totality-of-the-circumstances, courts in the Eighth Circuit considers:

- 1. The debtor's past, present, and reasonably reliable future financial resources;
- 2. A calculation of the debtor's and her dependent's reasonable necessary living expenses; and
- 3. Any other relevant facts and circumstances surrounding each particular bankruptcy case. (*In re Long*, 2003, p. 554.)

What this boils down to is whether the debtor's future financial prospects will produce enough money to pay down student loans and in addition to cover expenses required to maintain a minimal standard of living. While the *Long* court was focused on establishing the guiding law in that case, and made no specific findings on Ms. Long's circumstances, the opinion indicates that she should not be expected to pay back loans on her training to be a chiropractor when her physical and mental states precluded her from making a living in that profession. (Gubbiotti, 2015.)

# 2. Johnson Test

The case of *In re Johnson*, 5 Bankr. Ct. Dec. 532 (Bankr. E.D. Pa 1979), came out of Pennsylvania, which is in the Third Circuit, comprising federal courts sitting in Delaware, New Jersey, Pennsylvania, and the Virgin Islands. It sets forth a three-pronged test to determine undue hardship. First, can the debtor maintain at least a subsistence level of living over the lifetime of the loan if making regular payments? If so, there is no undue hardship. Second, was the debtor careless in efforts to maximize income and minimize expenses—and if so, would more responsible financial management have affected prospects of paying down the loan? In such case, the debtor has not acted in good faith and should not have the loan discharged. Third, is the bulk of the debt the debtor seeks to discharge from the student loan (or is the loan just part of greater non-student-loan categories of debt), or has the debtor benefitted financially from the education that was financed by loans? (Gubbiotti, 2015.) The court will make a policy judgment on whether the debtor benefitted financially from the education. A petitioner can prevail on a claim of undue hardship by satisfying any one of the prongs of the test.

Ms. Johnson, the petitioner in the case, had her student loans discharged because her student loan debt was less than 30% of her overall indebtedness and she did not benefit financially from the education for which she took out loans; she did not complete even one year of college classes (*In re Johnson*, 1979, p. 57-58). While Johnson received relief from her bankruptcy proceedings, the three-part inquiry used by the court to assess undue hardship is a somewhat complicated analysis that lacks a bright line to guide consistent results. Because of its subjectivity in application, many courts have rejected the *Johnson* approach (Frattini, 2001, p. 555).

# 3. The Brunner Test

The Seventh Circuit follows the case of *Brunner v. New York State Higher Education Services Corporation*, 831 F.2d 395 (2d Cir. 1987). Federal courts in the Second Circuit sit in Connecticut, New York, and Vermont. *Brunner* is considered the majority approach to the undue hardship analysis (Sparrow, 2007, p. 332). The *Brunner* test also has a three-part analysis the debtor must satisfy to prove undue hardship:

(1) that the debtor cannot maintain, based on current income and expenses, a "minimal standard" of living for herself and her dependents if forced to repay the loans; (2) that additional circumstances exist indicating that this state of affairs is likely to persist for a significant portion of the repayment period of the student loans; and (3) that the debtor has made good faith efforts to repay the loans (*Brunner*, 1987, p. 396).

All three elements must be proved to merit having the student loan discharged (Gubbiotti, 2015). The *Brunner* court noted that debtors may have difficulty in proving undue hardship because part of the test requires looking into the future to prove that current inability to make loan payments will extend throughout much of the loan period. Because Ms. Brunner was not disabled, elderly, or responsible for the care of dependents, her future job prospects were on the positive side, particularly in light of the fact that she had a master's degree. Moreover, the court found a lack of good faith on her part based on her filing for bankruptcy in the month that her first payment on the loan was due.

In summary, Gubbiotti (2015) offers a quick review of the various legal tests just discussed. For an in-depth legal analysis of the issue, Frattini (2001) gives a scholarly treatment of bankruptcy law history, the tests for undue hardships, and explication on a wide range of case law.

# **DISCUSSION QUESTIONS**

# **Application Based on the Totality of the Circumstances Test**

- 1. What are the debtor's past, present, and future resources?
  - Pro discharge in bankruptcy: Family obligations to take care of parents; lifestyle choice to serve others does not pay well.
  - Con: Economic downturns turn around; debtor has chosen mission work and unstable employment.
- 2. Can the debtor meet reasonable living expenses?
  - Pro discharge in bankruptcy: Monthly expenses exceed monthly income. Con: Has unstructured income as an Uber driver.
- 3. Any other relevant facts?
  - Pro discharge in bankruptcy: Disabled. Liabilities greatly exceed assets.
  - Con: Has higher earning potential with prestigious degree in Economics.

# Application Based on the *Johnson* Test (affirmative on any one of the questions will show an undue hardship)

- 1. Can the debtor make student loan payments and still subsist?
  - Pro discharge in bankruptcy: Monthly expenses exceed monthly income.
  - Con: Has higher earning potential with prestigious degree in Economics; has unstructured income as an Uber driver.
- 2. Has the debtor maximized income and minimized expenses?
  - Pro discharge in bankruptcy: Unable to get better job due to economic downturn; financed a reasonably modest car.
  - Con: Could have gone to nearby state school and lived at home; would not need car loan if Uber position not chosen.
- 3. Is the greater percentage of the indebtedness from student loans? Con: 2/3 of debt is in student loans

# Application Based on the *Brunner* Test (affirmative needed on all three to show an undue hardship)

- 1 Can the debtor make student loan payments and still subsist?
  - Pro discharge in bankruptcy: Monthly expenses exceed monthly income.
  - Con: Has higher earning potential with prestigious degree in Economics; has unstructured income as an Uber driver.
- 2 Will the current financial hardship continue into the future?
  - Pro discharge in bankruptcy: Yes, if he continues with Uber position and mission work.
  - Con: Economic downturns turn around; debtor has chosen mission work and unstable employment.
- 3 Has the debtor made a good faith effort to pay back the student loans?
  - Pro discharge in bankruptcy: Paid loans for one year when had steady employment Con: No payments made while in Uber position.

# **QUESTIONS FOR REFLECTION**

With the prospects of a change in justices at the Supreme Court, what should the Court do in the future should it again have the opportunity to settle the split in the circuits with regard to the discharge of student loan debt in bankruptcy?

Are there legislative or executive actions that could be taken to offer people overburdened by student loan debt relief in bankruptcy?

What could people incurring massive student loan debt due to reduce the possibility of undue hardship when it comes time to service the loan debt?

# **REFERENCES**

11 U.S.C. § 523(a)(8)(B), as amended by Pub. L. No. 109-8 (2005).

Bankruptcy Abuse Prevention and Consumer Protection Act of 2005, Pub. L. 109-8, 119 Stat. 23 (2005).

Bankruptcy Reform Act of 1978, Pub. L. 95-598, 92 Stat. 2549 (2005).

Brunner v. New York State Higher Education Services Corporation, 831 F.2d 395 (7th Cir. 1987). Retrieved February 17, 2016, from https://law.resource.org/pub/us/case/reporter/F2/831/831.F2d.395.41.87-5013.html

Frattini, Jennifer (2001). The dischargeability of student loans: an undue burden? 17 Bank. Dev. J. 537.

Gubbiotti, Carmelia (2015). Student loans can be discharged (at least partially) in bankruptcy after all. 7 St. John's Bankr. Research Libr. No. 12. Retrieved February 16, 2016, from <a href="http://www.stjohns.edu/sites/default/files/documents/law/bankruptcy/2015-12-gubbiotti carmella.pdf">http://www.stjohns.edu/sites/default/files/documents/law/bankruptcy/2015-12-gubbiotti carmella.pdf</a>

In re Johnson, 5 Bankr. Ct. Dec. 532 (Bankr. E.D. Pa 1979)

Kendall, Brent and Josh Mitchell (January 11, 2016). Supreme Court denies appeal on student-loan erasure. *Wall Street Journal*, January 11, 2016. Retrieved February 11, 2016, from <a href="http://www.wsj.com/articles/supreme-court-denies-appeal-on-student-loan-erasure-1452527286">http://www.wsj.com/articles/supreme-court-denies-appeal-on-student-loan-erasure-1452527286</a>

Long v. Educational Credit Management Corp. (In re Long), 322 F.3d 549 (8th Cir. 2003). Retrieved February 16, 2016, from https://casetext.com/case/in-re-long

Melear, Kerry B. (2011). The devils undue: student loan discharge in Bankruptcy, the undue hardship standard, and the Supreme Court's decision in *United Student Aids Funds v. Espinosa*. Institute for Higher Education Law & Governance Monograph 11-01. Retrieved February 17, 2016, from <a href="https://www.law.uh.edu/ihelg/monograph/11-01.pdf">https://www.law.uh.edu/ihelg/monograph/11-01.pdf</a>

Morgan, James F. (2015). Business law. Redding, CA: BVT Publishing.

Obama, Barack 2016. State of the Union address (January 13, 2016). Retrieved February 11, 2016, from <a href="https://www.whitehouse.gov/the-press-office/2016/01/12/remarks-president-barack-obama-%E2%80%93-prepared-delivery-state-union-address">https://www.whitehouse.gov/the-press-office/2016/01/12/remarks-president-barack-obama-%E2%80%93-prepared-delivery-state-union-address</a>

Powell, Farran (January 31, 2017). 3 student loan reforms to expect under Trump. U.S. News & World Report.

Retrieved March 15, 2017 from https://www.usnews.com/education/best-colleges/paying-for-college/articles/2017-01-31/3-student-loan-reforms-to-expect-under-trump

Sparrow, Amy E. (2007). Unduly harsh: the need to examine educational value in student loan discharge cases involving for-profit schools. 80 Temp. L. Rev. 329.

Taylor, Aaron N. & Sheffner, Daniel J. (2016). Oh, what a relief it (sometimes) is: An analysis of Chapter 7 bankruptcy petitions to discharge student loans. 27 Stan. L. & Pol'y Rev. 295.

Tetzlaff v. Educational Credit Management Corp., 521 B.R. 875 (E.D. Wisc. 2014).

Tetzlaff v. Educational Credit Management Corp., 794 F.3d 756 (7th Cir. 2015), cert. denied, 2016 U.S. Lexis 61 (2016).

Wallen, Ben. (2016). One standard to rule them all: An argument for consistency in education debt discharge in bankruptcy proceedings. 19 Hous. Bus. & Tax L.J. 232.

# SYSTEMS ANALYSIS, DESIGN, AND DEVELOPMENT CASE STUDY: MEDALLION THEATRE – TICKET SALES SYSTEM

# Terry L. Fox, University of Mary Hardin-Baylor

# **CASE DESCRIPTION**

The primary purpose of this case study is for Systems Analysis and Design, Systems Development, and Database courses. Students examine realistic dialog and interview notes, as well as existing documents. For Systems Analysis and Design courses, the students should be able to follow this realistic and fairly common case study of a small organization and conduct the planning, analysis, and design phases of the System Development Life Cycle (SDLC), using either a traditional or object-oriented approach. Deliverables would include process and data diagrams and modeling, and user interface designs, and this case study should require approximately 14-17 hours to complete, outside normal class time. In System Development courses, e.g., capstone courses for a computer information systems major, students can use this case study to not only analyze and design a solution, but actually develop the solution using various windows or web-based tools. The entire project should require approximately 22-28 hours to complete. For Database courses, this case could be used to illustrate database design techniques, resulting in the creation of appropriate data models and physical database designs. This should require approximately 10-12 hours to complete. The case study is of moderate difficulty - ranging from a four to five, and is designed for junior and senior level students, but could also be used for graduate courses.

## **CASE SYNOPSIS**

Dr. Thomas Waggoner, an information systems professor at the local university, is at the Will Call window at the Medallion Theatre, trying to pick up tickets he had reserved. However, due to an oversight which turns out to be rather frequent, his tickets were sold to another patron. Fortunately for Dr. Waggoner and his wife, who are celebrating their wedding anniversary, the box office manager finds two box seats which had not been claimed. In talking with the box office manager, Dr. Waggoner starts thinking that he could perhaps help the theatre avoid this type of problem in the future. His students could design and build a system to help keep track of ticket sales, and hopefully help the theatre become more efficient and improve customer satisfaction.

#### **TEACHING NOTES**

# **Case Purpose and Objectives**

The purpose of this case study is to provide an opportunity for information systems students to apply data modeling, process modeling, and user interface design skills to a semi-realistic scenario. Additionally, students in database courses can apply their knowledge and skills to design the class diagram/entity relationship diagram, as well as create a physical database based on the information requirements in this case. Furthermore, students in system

development/capstone courses can use this case as a comprehensive project, proceeding through the system development life cycle and develop a working ticket sales system for the Medallion Theatre. The interview notes and supporting documents help add a sense of reality.

# **METHODOLOGY**

This case is based on the author's own experiences and has been modified to be more applicable to a classroom setting. The names and specific details have been changed. This case study presents a small but realistic opportunity for students to analyze, design, and develop a ticket sales system for a local theatre. The scenario should be fairly familiar to many students who have attended a production or concert and understand the concept of reserved seating. This case study has been used by the author in a systems analysis and design course with great interest and success and the author has incorporated suggestions from his students to enhance the case.

#### TEACHING SUGGESTIONS

This case is designed to be used as a major project in either a systems analysis and design course, a database course, or a systems development/capstone course. In my systems analysis and design courses, I generally have students work in teams of 3-4 to complete a project of this size. I introduce the project approximately halfway through the semester, after we have finished discussing the planning and analysis phases of the system development life cycle. The students are able to begin work on the planning (e.g., system proposal) and analysis requirements (e.g., process modeling, data modeling) while we begin discussing the design phase during class. As the students are completing the analysis work, they can then begin working on the design requirements (e.g., user interface design). The case is to be completed by the last week of the semester. The case is most appropriate at the undergraduate level, but could be used in graduate-level systems analysis and design, database, and system development courses.

To incorporate the practice of project management, an additional requirement, particularly in a systems development/capstone course, could be added to develop a work breakdown structure, schedule, and budget using a tool such as Microsoft Project. The students should then keep track of their actual time worked and examine variances, illustrating the difficulty in developing time estimates on system development projects. A discussion of the variances could be included in the pre-implementation review (for systems analysis and design) or post-implementation review (for system development/capstone). The pre(post)-implementation review is an excellent tool to allow the students to reflect on their project, identifying what went well, and also what did not go well. The review often touches on topics such as tools used, scheduling issues, group dynamics, etc.

As the instructor for the course in which this case is used, you will need to have both good technical skills and project management ability. Most likely the different groups in your class will be working on a variety of case studies and projects, and you will need to help them stay focused, e.g., with milestone deadlines, as well as help solve their technical issues.

# PROPOSED SOLUTION

The suggested solution in the appendix is based on an object-oriented approach and includes a class diagram and use case diagram, but the case can certainly be conducted using a traditional approach, wherein the students would develop entity relationship diagrams and data

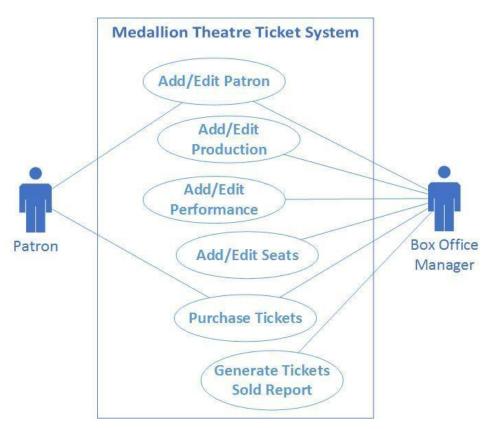
flow diagrams. In addition, example user interface designs are provided.

# **CONCLUSION**

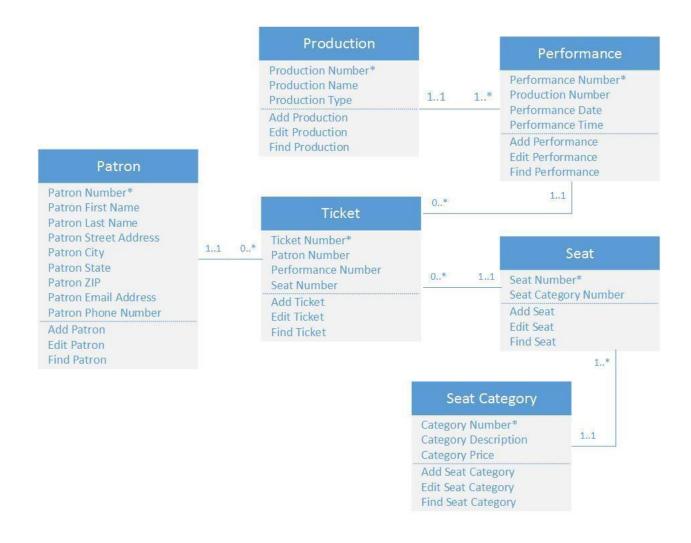
This case study offers students an opportunity to apply concepts and techniques learned in their systems analysis and design, database, and systems development/capstone classes. The case is realistic, reasonably-sized for a major project in a semester-long course, and the scenario should be one in which they are somewhat familiar.

APPENDIX



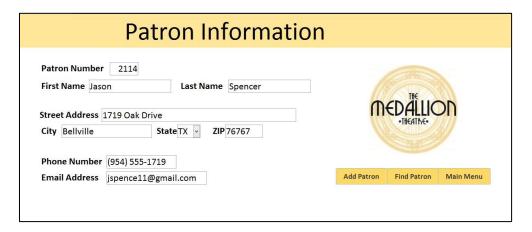


# **CLASS DIAGRAM**

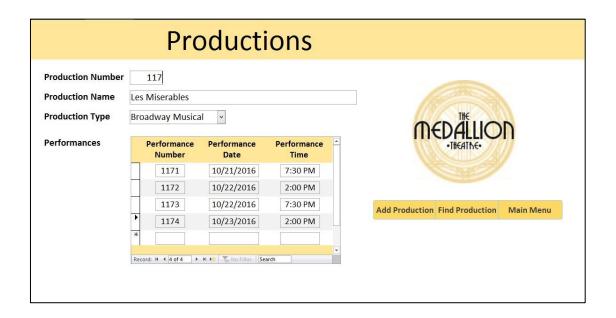


# Example User Interface Designs

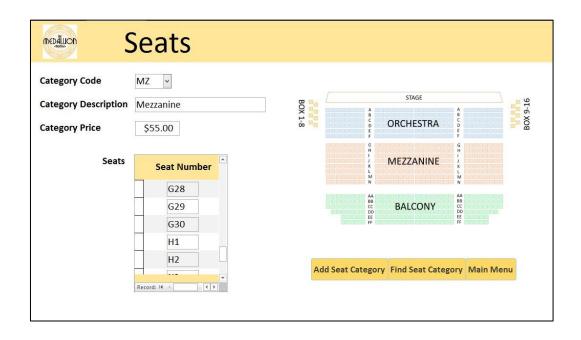
## PATRON INFORMATION CREATE/EDIT SCREEN



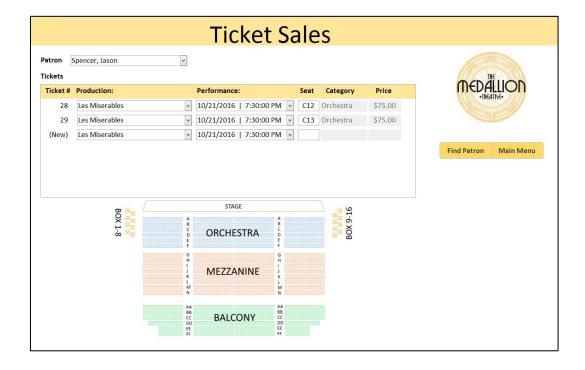
#### PRODUCTION AND PERFORMANCES CREATE/EDIT SCREEN



# SEATS AND SEATING CATEGORIES CREATE/EDIT SCREEN



#### TICKET SALES SCREEN



# REPORT: SEATS SOLD BY PERFORMANCE

Seats Sold by Performance Production: Les Misseables					
Froductio	Performance Date	Performance Time			
	10/21/2016	7:30 PM	Seat Number	Ticket #	Patron Name
			C12	28	Spencer, Jason
			C13	29	Spencer, Jason
	10/22/2016	2:00 PM	Seat Number	Ticket #	Patron Name
			G6	33	Goldman, Barbara
			G7	30	Goldman, Barbara
			G8	31	Goldman, Barbara
			G9	32	Goldman, Barbara
		'			

# REPORT: SEATS SOLD BY PATRON

Tickets Sold to Patr	on			
atron Name Goldman, Barbara				
Phone: (954) 555-2580 Email Address badenton@gm:	Email Address badenton@gmail.com			
Production Name Date Time Sea	nt#			
Les Miserables 10/22/2016 2:00 PM G	66			
10/22/2016 2:00 PM G	9			
10/22/2016 2:00 PM G	8			
10/22/2016 2:00 PM G	i7			
atron Name Spencer, Jason				
Phone: (954) 555-1719 Email Address jspence11@gm	Email Address jspence11@gmail.com			
Production Name Date Time Sea	nt#			
Les Miserables 10/21/2016 7:30 PM C1	13			
10/21/2016 7:30 PM C1	12			

# SYSTEMS ANALYSIS, DESIGN, AND DEVELOPMENT CASE STUDY: SARAH'S SHORT CAKES – SALES ORDER SYSTEM

# Terry L. Fox, University of Mary Hardin-Baylor

### **CASE DESCRIPTION**

The primary purpose of this case study is for Systems Analysis and Design, Systems Development, and Database courses. Students examine realistic dialog and Interview Notes, as well as existing documents. For Systems Analysis and Design courses, the students should be able to follow this realistic and fairly common case study of a small business and conduct the planning, analysis, and design phases of the System Development Life Cycle (SDLC), using either a traditional or object-oriented approach. Deliverables would include process and data diagrams and modeling, and user interface designs, and should require approximately 12-15 hours to complete, outside normal class time. In System Development courses, e.g., capstone courses for a computer information systems major, students can use this case study to not only analyze and design a solution, but actually develop the solution using various windows or webbased tools. The entire project should require approximately 20-25 hours to complete. For Database courses, this case could be used to illustrate database design techniques, resulting in the creation of appropriate data models and physical database designs. This should require approximately 10-12 hours to complete. The case study is of moderate difficulty – ranging from a three to five, and is designed for junior and senior level students, but could also be used for graduate courses.

## **CASE SYNOPSIS**

Dr. Thomas Waggoner, an information systems professor at the local university, is at a small bakery waiting to pick up cupcakes for his daughter's birthday party. The lengthy and unorganized approach to waiting on customers presented Dr. Waggoner with an idea which he shared with the owner of the bakery. His students could design and build a system to help track sales orders, and hopefully help the business become more efficient. Sarah, the owner of the bakery, was very excited about the possibilities, and they decided to meet later in the week to discuss the details.

# **TEACHING NOTES**

#### CASE PURPOSE/OBJECTIVES

The purpose of this case study is to provide an opportunity for information systems students to apply data modeling, process modeling, and user interface design skills to a semi-realistic scenario. Additionally, students in database courses can apply their knowledge and skills to design the class diagram/entity relationship diagram, as well as create a physical database based on the information requirements in this case. Furthermore, students in system development/capstone courses can use this case as a comprehensive project, proceeding through

the system development life cycle and develop a working system for Sarah's short Cakes. The interview notes and supporting documents help add a sense of reality.

# **METHODOLOGY**

This case is based on the author's own consulting experiences and has been modified to be more applicable to a classroom setting. The names and specific details have been changed. This case study presents a small but realistic opportunity for students to analyze, design, and develop a sales order system for an organization which should be fairly familiar to them, as most students have visited a bakery and eaten a cupcake at least once! This case study has been used by the author in a systems analysis and design course with great interest and success and the author has incorporated suggestions from his students to enhance the case.

# TEACHING SUGGESTIONS

This case is designed to be used as a major project in either a systems analysis and design course, a database course, or a systems development/capstone course. In my systems analysis and design courses, I generally have students work in teams of 3-4 to complete a project of this size. I introduce the project approximately halfway through the semester, after we have finished discussing the planning and analysis phases of the system development life cycle. The students are able to begin work on the planning (e.g., system proposal) and analysis requirements (e.g., process modeling, data modeling) while we begin discussing the design phase during class. As the students are completing the analysis work, they can then begin working on the design requirements (e.g., user interface design). The case is to be completed by the last week of the semester. The case is most appropriate at the undergraduate level, but could be used in graduate-level systems analysis and design, database, and system development courses.

To incorporate the practice of project management, particularly in a systems development/capstone course, an additional requirement could be added to develop a work breakdown structure, schedule, and budget using a tool such as Microsoft Project. The students should then keep track of their actual time worked and examine variances, illustrating the difficulty in developing time estimates on system development projects. A discussion of the variances could be included in the pre-implementation review (for systems analysis and design) or post-implementation review (for system development/capstone). The pre(post)-implementation review is an excellent tool to allow the students to reflect on their project, identifying what went well, and also what did not go well. The review often touches on topics such as tools used, scheduling issues, group dynamics, etc.

As the instructor for the course in which this case is used, you will need to have both good technical skills and project management ability. Most likely the different groups in your class will be working on a variety of case studies and projects, and you will need to help them stay focused, e.g., with milestone deadlines, as well as help solve their technical issues.

#### PROPOSED SOLUTION

The suggested solution in the appendix is based on an object-oriented approach and includes a class diagram and use case diagram, but the case can certainly be conducted using a

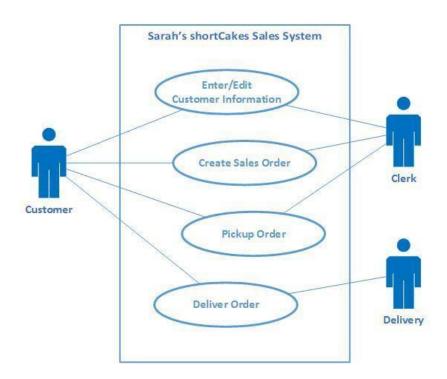
traditional approach, wherein the students would develop entity relationship diagrams and data flow diagrams. In addition, example user interface designs are provided below.

# **CONCLUSION**

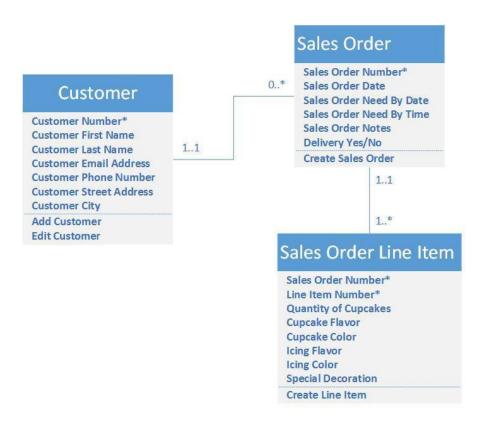
This case study offers students an opportunity to apply concepts and techniques learned in their systems analysis and design, database, and systems development classes. The case is realistic, reasonably-sized for a major project in a semester-long course, and the scenario should be one in which they are familiar.

# **APPENDIX**

# **Use Case Diagram**



## **CLASS DIAGRAM**

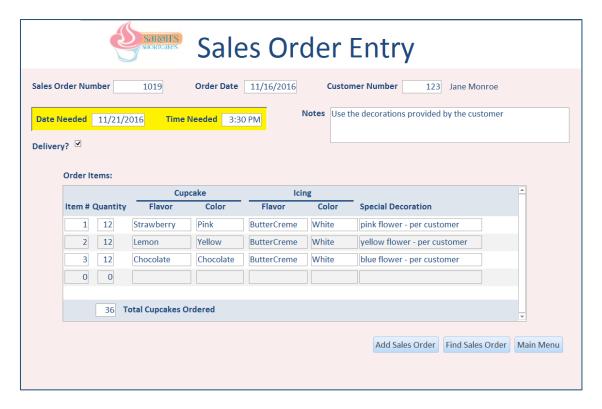


# **Example User Interface Designs**

#### CUSTOMER INFORMATION DATA ENTRY FORM

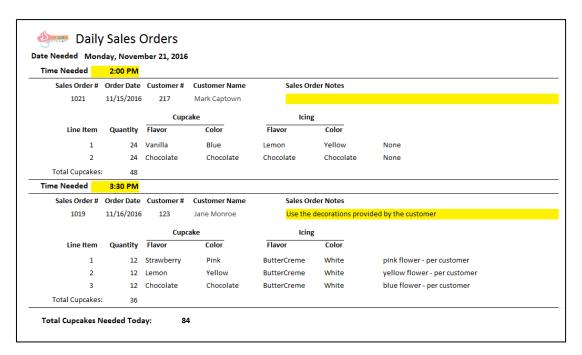


#### SALES ORDER ENTRY FORM

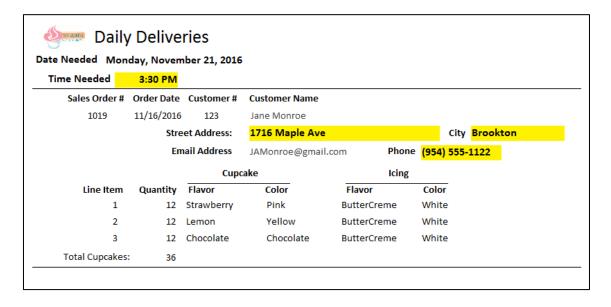


# **Example User Interface Designs**

REPORT: DAILY SALES ORDERS



# REPORT: DAILY DELIVERIES



# DR. SHOPPING, HER BUSINESS PARTNER, AND THE NEW RETAIL STORE EXPERIENCE

# Cara Peters, Winthrop University Jane Thomas, Winthrop University

#### CASE DESCRIPTION

The primary subject matter for this case concerns retailing. Secondary issues examined include marketing strategy, channels of distribution, and consumer behavior. The case has a difficulty level appropriate for freshman, sophomore, and junior level courses. The case is designed to be taught in one class session equivalent to one and a half hours (specifically if an assigned group of students does a 20-30 minute presentation of their analysis and recommendation and the rest of the period is spent for discussion (through question and answer)). The case is expected to require between four and six hours of outside preparation by students.

# **CASE SYNOPSIS**

Clarisa Eliot and Janay Richards were two consultants who received a request for proposal (RFP), inviting them to submit ideas for a new retail store experience within Mattel's division of American Girl. Eliot and Richards had expertise in this domain and saw it as an exciting opportunity to potentially work with a larger client, so they got to work conducting research on American Girl. They wanted to get a thorough understanding of American Girl's product line, brand, and retail stores. The consultants then generated a list of ideas for a possible new retail store experience for their proposal. After reflecting on the list, the consultants were unsure which idea they should choose in order to have a winning proposal.

## RECOMMENDATIONS FOR TEACHING APPROACHES

Specific applications for this case include retailing (experiential marketing, in-store experiences), marketing strategy (targeting, branding, positioning), channels of distribution (breadth and depth of product assortments, utilizing manufacturer owned channels of distribution versus outsourcing distribution to large retail stores), and consumer behavior (families and the influence on youth/adolescent purchase decisions, gender in consumption, and emotions impacting purchase). The authors developed an in-class exercise for this case in which the students were put into groups and given the information from the RFP. They were asked to research the brand and develop an idea for a proposal. Each group was then required to briefly present their idea to the class. After they shared their ideas, the instructor passed out the case and asked them to read it. Once they were through reading the case, the whole class participated in a discussion of which was the best idea among all the available options.

Another way to teach this case would be to put students in teams and have them go through the strengths and weaknesses of each idea posed by the consultants, decide which one they would choose for the proposal, and develop a plan for what to do next. The instructor could also have the students actually develop a proposal for either their own idea or the consultant's idea that they liked best and then invite students from another class (e.g., graduate students) or outside business people to judge the proposals and select a winner.

#### INTRODUCTION

Clarisa Eliot clicked on her inbox and spotted an email with "Mattel" in the subject line. Eliot was immediately curious and clicked it open, even though she was busy working on a report that was due the next day. The email was a request for proposal (RFP) that invited marketing consultants to submit ideas for a new retail store experience within Mattel's division of American Girl stores. Eliot was excited because this kind of project was right up her alley and also played to the strengths of her business partner, Janay Richards, who was known as Dr. Shopping. Richards was a nationally known expert in retailing and a regular presenter on the subject via national media outlets, such as the Huffington Post and Washington Observer. Eliot thought that if they could create an innovative proposal that was selected by Mattel, this project could help them leverage their consulting company beyond its typical small, regional clients to larger, national companies that were also seeking consulting services.

# **DISCUSSION QUESTIONS**

# 1. What was the original brand image for American Girl and has that image stayed consistent over time?

The American Girl brand was created by Pleasant T. Rowland in 1986. Rowland was a teacher who wanted to see more options for girls' dolls, beyond Barbie. Because of her background in teaching, Rowland also had the idea of integrating historical stories with the dolls so that the brand also had an educational and historical appeal. Rowland invested her own money and developed a line of three 18-inch dolls, each representing a 9-year old girl from a historical time period (such as the Victorian age and World War II era). Each doll was accompanied by a book with a story about the girl living in her respective time period. These books, along with doll's features and related accessories, helped create a powerful narrative for the brand (Sherry, et al., 2009). This brand narrative built a connection between the doll and history, while also promoting the empowerment of young girls by emphasizing core values (such as family and friendship). Along with the wholesome, educational brand image of American Girl, the dolls were priced at a premium, sold exclusively through the American Girl catalog, and targeted girls aged 7 through 12.

The brand image of American Girl did seem to change somewhat over time. When moving beyond the first three historical characters, Hispanic and African American dolls were added to widen the appeal and make the brand more inclusive of all types of girls. Then in the 1990s, Mattel launched the American Girl magazine with content designed to reinforce girls' self-esteem, celebrate their personal achievements, and foster their creativity. In 1995, American Girl released a new line of contemporary dolls and accessories, called My American Girl. My American girl products offered different combinations of skin tones, facial features, eye color and hair types so the target market could choose a special doll that looked just like herself. The magazine and new line of dolls seemed to lessen the brand's emphasis on history and move it more in the direction of empowering young girls by reinforcing self-esteem, achievements, and creativity. The brand also expanded to a wider audience over time, adding products that targeted 3-6 year olds. American Girl created Bitty Babies, Hopscotch Hill, and Angelina Ballerina products and books, targeting this age group (Olson et al., 2006). Again, this widened the appeal of the brand to a larger age range of girls.

# 2. What was the positioning of the American Girl brand in the marketplace?

Positioning consists of a brand creating a "position" in the mind of the consumer so that he/she thinks about the company's key selling proposition and benefits, relative to that of its competitors (Ries & Trout, 2001). From the beginning, Rowland sought to position the American Girl brand as different from the best selling doll in the category, Barbie. The American Girl brand image was based on empowering young women and emphasizing the core values of inner strength, familial relationships, friendships, trust, and perseverance. In contrast, Barbie was known for a focus on outer beauty and materialistic values. The American Girl brand sought to be a type of "cultural shield" against the many sexual themes of modern society and provided girls an alternate model to emulate (Diamond, et al., 2009).

Over time, other doll brands, such as Bratz, had also been successful in positioning them selves as edgy and sexually oriented. Thus, the American Girl brand had a unique position in the marketplace that was wholesome, educational and historical. Furthermore, this positioning led the target market (and those who influenced the purchase, such as mothers and grandmothers) to participate in an extended set of experiences that involved the whole family interacting with the doll and its accessories at the store and in the home (Kozinets, et al., 2005). Furthermore, the instore experiences served as a "dynamic interaction" of women family members who were socially connecting to one another through the brand (Diamond et al., 2009).

# 3. Why were the American Girl retail stores so successful?

According to Senthil et al. (2012), experiential retailing is based on the idea of connecting customers with the brand by incorporating meaningful and relevant experiences into the retail store environment. Providing meaningful experiences in the store causes customers to connect physically and emotionally with the product or service. Experiential retailing is about the emotional responses that become evoked when participating in sensory experiences in the store, and these emotions create an affinity with the brand. Senthil et al. (2012) propose five factors that drive the experiential retail store experience as a tool for differentiation: engage all five senses, theme the experience, harmonize impressions with positive cues, eliminate negative cues, and mix in memorabilia.

From the start, Rowland had the idea of focusing the design of the American Girl stores on entertainment. The first American Girl store, created in the heart of Chicago, was 52,000 square feet of pure entertainment. The store consisted of a series of interactive experiences, including a shopping boutique (with museum-like displays and a library), a musical theater, and a café. Later, the store added a photo booth, hair salon, and a fashion designer station. The store also hosted special events and parties for girls with their friends and family.

Early on, American Girl stores epitomized experiential retailing. The multiple entertaining experiences built into the first store in Chicago created emotions that impacted consumers and built brand affinity. From the start, the in-store experiences engaged all senses (seeing and touching the product, books, clothing in the boutique; singing in the musical theater used the voice and ears; and the café engaged taste as well as encouraged social interaction). The experience was heavily themed with American Girl colors and a complete focus on the doll. For example, the café was themed in the colors and the doll even received a special chair, dishes, and food. The cues in the store reinforced the positive experience and minimized negative experiences. For example, even though only the doll had her hair done, the stylist showed the girl

how to brush her doll's hair and how to recreate that hairstyle on her doll at home. And, finally, the stores mixed in memorabilia. For example, having your picture made with your doll and placed on the cover of an American Girl magazine for the consumer to take home is an example of creating positive memories and being able to take home memorabilia marking that experience. Not only was the American Girl Chicago store—a great example of experiential retailing, the store successfully generated revenue for the company. In the first year of operation alone, the Chicago store grossed \$40 million in revenues. Approximately 1.5 million people visited the Chicago store each year and its visitors traveled three to six hours on average to get there. The typical store visit lasted for four hours and the average purchase amount was \$400. These numbers are staggering, and because of the success of the Chicago store, Mattel added stores throughout the United States. By 2015, the company had 18 stores throughout the United States, Canada, and Mexico.

# 4. Evaluate the strengths and weaknesses of each of the ideas generated by the consultants as a possible focus for their proposal.

Before evaluating the strengths and weaknesses of each idea, it would be helpful to review some key pieces of information from the RFP: activity must be doll-centric, with girls' participation; needs to be easy to create and operate; must fit with target market of 3-12 year olds; should be scalable in size; needs to generate repeat visits; should not involve high end electronics and technology; and must be consistent with the American Girl brand image.

**Around the World** – For this idea, the store would create a booth that featured one country and girls would bring their doll to experience the culture of that country. The strengths of Around the World are that it would be easy to implement and operate; the activity is doll centric; changing out the country each month makes it relevant for repeat visits; and it is consistent with the educational aspects of the American Girl brand. The weaknesses are that it may not be that appealing to the target market (especially very young girls) and it is also not as doll-centric as compared to the hair salon.

Get Fit with American Girl – Get Fit is a sports themed activity. The strengths of a sports activity are that it would be consistent with the brand's efforts to build self-esteem and celebrate the achievements of young girls. Other strengths include the broad appeal of sports and the ease of scalability by adding more sports. The weakness of this idea is that it may not be easy to operate. For example, American Girl dolls have a soft, cloth body and swimming in a minisized pool does not seem feasible. Also, it is unclear how the store would contain shag golf balls that are being hit into a screen as there are other shoppers walking around the space. It is also unclear whether girls would pay to repeat visit the sports center.

American Girl Art – An art center would allow girls to create different kinds of projects with their doll. The art activity is consistent with the brand's efforts to reinforce creativity and self-esteem of young girls. The strengths of this idea are that it would be doll centric (such as creating a bracelet for the doll or helping the doll paint a mini canvas), easy to create and operate, and potentially relevant for repeat visits based on varying art projects. The weakness is related to targeting very young girls, such as 3-4 year olds. It would be messy for these children to paint and some projects may require using scissors, a hair dryer (i.e., to dry the paint), or very small beads, which are not necessarily safe for young children.

Write Back Soon – This idea involves a letter writing activity, which is consistent with the old-fashioned, traditional values that the American Girl brand was built upon. The strengths of this idea are that is would be easy to implement; it would be scalable in size by including more/less writing desks; and it could possibly generate repeat visits by sending letters to different American Girl characters and different store locations. The weakness of this idea is that very young girls, (aged 3-5) may not have the writing skills necessary for a letter and thus may not be interested in the activity. In addition, the letter writing activity is not as doll-centric as the hair salon; it is more akin to the café in which the doll would need to sit at a special chair at the writing desk.

**Dance Party** – The musical extravaganza idea was based on dance videos made by American Girl. The Dance Party concept fit with American Girl brand because it promoted physical activity and, thus, increased self-esteem and reinforced achievement of the girls in the target market. The strengths of this concept are that it would be relatively easy to operate and is doll-centric. It is scalable by adding additional TVs and dance floors. The downside is that it would require a high level of technology to implement and the RFP stated high technology-reliant activities were not preferred. It is also unclear whether the target market would pay to repeat this activity on a regular basis.

**Super Science** – Creating a science lab activity inside the American Girl store is consistent with the educational aspects of the brand. Depending on the type and design of the science experiments, the lab could appeal to both younger and older girls in the target market. It could also be scalable in size by adding more workstations and could draw girls back for a repeat visit by varying the kinds of experiments offered each month. The weaknesses of the science lab are that it is not as doll centric as the hair salon and administering science experiments may be difficult to operate. Furthermore, the safety of all experiments would have to be a priority, especially those being done with very young girls, aged 3-6.

# 5. Are there any options for other retail store experiences that the two consultants did not consider when brainstorming for the proposal?

This is an open-ended question that allows students to express their creativity. Thus, a variety of answers could emerge. In class testing this case, the students generated several new ideas that the consultants failed to consider. For example, one group of students proposed an instore camping experience. For the camping experience, a girl could bring her doll to the store to learn about the wilderness, purchase camping equipment and accessories for her doll, and even leave her doll at the store for an overnight campout/sleepover with other dolls.

Another group proposed the idea of cooking with your American Girl doll in the store. Since they have the café, they could create a center where the girl and her doll mix up cookie dough or brownie batter, and while the product is cooking in the café ovens, the girl could shop in the boutique or eat lunch. A full set of mini sized cookware and accessories could be for sale and the girl could take home her cookies or brownies at the end of the visit.

Another theme proposed by the students groups that the consultants failed to consider was a possible partnership with other brands. One student group proposed that American Girl approach the Girl Scouts about a joint venture. Following the Girl Scout's model, the doll could join "American Girl Scouts" and visit the store each month to participate in a different activity with her girl (such as cooking, doing a science experiment, potting a plant). After completing the activity with her girl, the doll would earn a badge for participation. The badge would be sewn on

a sash, similar to those worn by real Girl Scouts.

Another innovative partnership proposed by the student groups was that American Girl could approach Lego about creating American Girl Lego kits. The company could create large sized Lego kits, branded in the American Girl theme, that could be built into doll sized furniture and accessories. Legos tend to appeal more to boys, so this would be a good way for Lego to appeal to more girls. American Girl could also create an in-store station where girls could build the Lego kits on site and take the furniture and accessories home already constructed, in addition to making the kits available for sale in the stores.

# 6. Which option should the consultants choose and why?

The answer to this question is open-ended and requires the students to objectively evaluate and discuss each idea relative to the needs/wants of the target market, consistency with the brand, and the specifications listed in the RFP. However, there is also a subjective component in that the students have to try and place themselves in the role of the target market and determine what would be the most fun and interesting activity that the target audience would want to repeat over time. As an example of this analysis, Dance Party may be ruled out because it is too high tech and the RFP said technology-based activities were not preferred. Safety issues related to young girls with respect to the operation of the art and science centers may rule out these choices as well. The fact that letter writing may not appeal to young girls in the 3-6 age range may rule out Write Back Soon, which is a somewhat subjective judgment. That would leave the students to compare and contrast the sports concept versus the global idea.

When the case was class tested, the option selected most often by the students was Around the World. The students felt that this concept best fit the key success criteria as laid out in the RFP by American Girl. Specifically, the activity is easy to operate, easy to participate in especially for the younger girls, could be scaled up/down based on the varying amount of the cultural topics and artifacts covered in the display, would generate repeat visits because of the change in country, and would be relevant for the long term because there are 196 countries in the world that could be possibly featured in the display over time.

# 7. Once the consultants have selected an option for their proposal, what do they need to do next?

Once the consultants have selected their concept for the proposal, they need to create all of the ancillary items listed as part of the submission on the RFP. Thus, they need to create a description of the new experiential space and activity, including all steps involved in participation pattern. This may require writing a full description of the items and steps involved, as well as visual mock-ups of the displays and artifacts. The consultants will also have to determine the minimum time required to complete the activity and create a space plan and traffic flow diagram. And finally, the consultants need to determine what is required for the basic structure in the center and the cost estimate. All those materials will then be submitted online, as dictated by the RFP.

# **EPILOGUE**

Eliot and Richards tested their ideas on three girls in the target market and gathered their feedback. After reviewing the feedback and the specifications for the RFP, the consultants decided to focus their proposal on the letter writing concept, Write Back Soon. The consultants

developed a full proposal, along with ancillary materials (such as a mock up of the pink desk, examples of the post cards, a floor plan, and a traffic flow diagram). Eliot and Richards also created a detailed budget and pricing plan. They submitted their proposal for consideration but were not selected. They were never given any information about the winning proposal.

A few months later, Richards found a press release online that stated American Girl was partnering with Williams Sonoma to create and sell branded bake ware and offer cooking classes for girls and their dolls (through Williams Sonoma stores). She sent the press release to Eliot with a note observing that this may be what the company had selected from the proposals. A copy of the press release can be found at https://www.americangirl.com/wcsstore/Tridion/AGStore/Images/AG-Williams-Sonoma924-221565.pdf.

#### REFERENCES

- Diamond, N., J. Sherry, A. Muniz, M. McGrath, R. Kozinets & S. Borghini (2009). American Girl and the brand gestalt: Closing the loop on sociocultural branding research. *Journal of Marketing*, 73(3), 118-134.
- Kozinets, R., J. Sherry, M. McGrath, S. Borghini & A. Muniz (2005). American Girl: The family brand. *Advances in Consumer Research*, 32, 10-11.
- Olson, E. M., S. F. Slater & C. S. H. Olson (2006). Dolls and sense: At American Girl, a doll is much more than a toy. *Marketing Management*, September/October, 14-17.
- Ries, A. & J. Trout (2001). Positioning: The battle for your mind. New York: McGraw-Hill.
- Senthil, M., K. S. Chandrasekar & S. Selvabaskar (2012). "Experiential retailing" as a strategic tool for retail store differentiation and brand association A conceptual approach. SEIS Journal of Management, 8(1), 92-102.
- Sherry, J. (2009). The work of play at American Girl. Social Psychology Quarterly, 72(3) 199-202.

# AN ENTREPRENEURIAL MARKETING DILEMMA: THE CASE OF THE MELTED BUTTONS

# Dianne H.B. Welsh, University of North Carolina at Greensboro

# **CASE DESCRIPTION**

This case involves an unsatisfied customer, a retail store, and the Better Business Bureau. It is important that all parties, whether the consumer or the manufacturer, know their rights and responsibilities. Incidents such as this frequently occur in the retail, as well as the whole sale business sector. This case deals with major issues such as entrepreneurial marketing, customer rights, regulations, public relations, and manufacturing requirements. In any business, achieving well developed entrepreneurial framework requires that all of the aforementioned issues are considered. Business owners need a solid customer service blueprint to increase customer value by reducing the inconsistency in employee-customer interaction. This case helps expose the various flaws that can occur when implementing a new non-standardized policy.

### **TEACHING OBJECTIVES**

This case requires students to take the following actions:

- 1. Identify marketing and sales issue in balance with customer rights and retailer responsibilities;
- 2. Respond to Linda's actions from a customer relations perspective;
- 3. Analyze the effect that the incident had upon the entire store;
- 4. Identify the effectiveness of the Better Business Bureau;
- 5. Determine the best interest of the retailer;
- 6. Determine whether or not Linda should be reprimanded for her actions;
- 7. Determine what actions the retailer should take in protecting their best interests;
- 8. Determine if there is a misconnect between the return policy vs. commission return policy.

# **DISCUSSION QUESTIONS**

- 1. What should be done to protect the retailer's best interests?
- 2. Should Linda be reprimanded or fired for her conduct as well as her refusal to accept the returned the merchandise in order to satisfy the customer?
- 3. Do you believe that the manufacturer is at fault or the dry cleaner?
- 4. How are consumers protected? Did the Better Business Bureau do what they should have done in this situation?
- 5. What specific consumer protection laws apply to this case? Do these laws vary from state to state?
- 6. Should Mrs. Jones take legal action? Explain your answer.
- 7. What is the retailer's role in supporting Linda since the merchandise was not purchased from the store?
- 8. Should the store have a written procedure for handling complaints? When should

- this be communicated? Where should it be posted?
- 9. What steps should be taken if the retailer's procedures are not followed? Should there be stepwise procedures? Should the company or supervisor keep a list of complaints? Where would they keep it?
- 10. Are the return procedures in direct conflict with the retailer's self-interest? How should the policy be changed in order to insure that the appropriate associate's commission is deducted? How would you resolve the commission policies to reflect the customer satisfaction philosophy, as well as comply with the retailer's interests?
- 11. What entrepreneurial marketing solutions could we apply to this case?

# **DISCUSSION QUESTIONS ANSWERS**

1. What should be done to protect the retailer's best interests?

When implementing a new policy, it is essential for employees to receive training and guidance through the transition process. A verbal and written description of the new policy is not adequate; employees need to understand the "why" of the new policy.

2. Should Linda be reprimanded or fired for her conduct, as well as her refusal to accept the returned the merchandise, in order to satisfy the customer?

Employee turnover is very expensive, making employee retention crucial to the firm's success. However, the costs of losing current and future customers as a result of employee misconduct may outweigh the costs associated with acquiring and training a new employee. It can be argued that Linda's exceptional sales skills outweigh her inappropriate behavior during customer returns. From a managerial and marketing perspective, Linda's behavior sends out a bad signal to current and potential customers. Customers are the driving force behind any retail establishment, making strong customer service a key priority.

3. Do you believe that the manufacturer is at fault or the dry cleaner?

It is difficult to determine which party is at fault without further investigation. However, under the revised return policy, Linda should have returned the merchandise for Mrs. Jones without hassle or interrogation. The company's philosophy, "the customer is always right," was clearly not employed by Linda.

4. How are consumers protected? Did the Better Business Bureau do what they should have done in this situation?

There are several consumer advocate organizations such as the Better Bureau of Business and the National Association of Consumer Advocates. These organizations help regulate business practices and ensure a fair marketplace. The Better Bureau of Business proceeded with appropriate action in this case; they documented and rationally pursued the complaint.

5. What specific consumer protection laws apply to this case? Do these laws vary from state to state?

There are a number of consumer protection laws that apply to this case; however, they vary from state to state.

6. Should Mrs. Jones take legal action? Explain your answer.

No, it would not be advisable for Mrs. Jones to pursue legal action because the item was not in fact purchased from the retailer in question. The retailer actually has grounds to claim

fraud against Mrs. Jones because she tried to return an item to a store different from where she purchased it. Neither argument is very strong and would most likely never make it to court. The bigger issue is the public relations cost to the retail store.

7. What is the retailer's role in supporting Linda since the merchandise was not purchased from the store?

Since Mrs. Jones was a longtime customer, the retailer should try and accommodate her to the extent that the benefit does not exceed cost. Existing customers produce more profitability than new customers, emphasizing the importance of customer retention.

8. Should the store have a written procedure for handling complaints? When should this be communicated? Where should it be posted?

Yes, the store should have a standardized, written procedure for handling complaints. This procedure should be in the employee handbook, in the actual store, as well as on the company website (if available). The procedure could be communicated during the employee training process or weekly meetings. Employees should be well versed in the procedure for handling complaints prior to any interface with customers.

9. What steps should be taken if the retailer's procedures are not followed? Should there be stepwise procedures? Should the company or supervisor keep a list of complaints? Where would they keep it?

Management should document the incident, review, and follow the appropriate measure. Having a standardized procedure for employee conduct allows for uniformity in terms of behavior and reprimand. Publishing the procedure in the store policy, as well as having the employee sign that he/she understands the policy, implies that employees are aware of management's expectations. When the policy is violated, there is no excuse for the misconduct. The manager should store and file all complaints to aid in future decisions.

10.Are the return procedures in direct conflict with the retailer's self-interest? How should the policy be changed in order to insure that the appropriate associate's commission is deducted? How would you resolve the commission policies to reflect the customer satisfaction philosophy, as well as comply with the retailer's interests?

The new procedures involving the return of merchandise and commission deduction should be audited on a daily basis. The supervisor, Susan, should routinely monitor the commission based accounts to ensure team playing. Lack of trust among employees generates negativity in the workplace, resulting in decreased productivity and consequently profitability. It may be in the best interest of the company to remove commission interest from the return policy.

11. entrepreneurial marketing solutions could we apply to this case?

According to Morris, Schindehutte & LaForge (2002), entrepreneurial marketing holds an opportunistic perspective- the marketer is proactive in finding creative solutions for building customer equity and value creation for desired customers. When building customer value, it is pivotal that managers analyze the return on their investment. Essentially, customer value = benefits – costs. Managers must maximize customer benefits, such as customer service, to increase customer value. Greater customer value can equate to higher profitability.

## SUGGESTED READINGS

Donnelly, J.H., Jr. (1992). Close to the customer: 25 management tips from the other side of the counter. Homewood, IL: Business One Irwin.

Hanan, M., & Karp, P. (1989). Customer satisfaction: How to maximize, measure, and market your company's "ultimate product." New York: St. Martin's Press.

Kearney, E. (1990). Customer ran your company. Marina Del Rey, CA: Sterling Press.

Maxwell Associates. & The Reader's Digest Association, Inc. (Eds.). (1989). Readers digest consumer adviser: An action guide to your rights. Pleasantville, NY: The Reader's Digest Associates, Inc.

Miller, J.B. (1993). The corporate coach. New York: St. Martin's Press.

Timm, P.R. (1992). 50 simple things you can do to save your customers: Using the master key to career success. Hawthorne, NJ: Career Press.

Yepsen, R.B., Jr. (1982). The durability factor. Emmaus, PA: Rodale Press.

#### RELEVANT COURSES

It is important that all business students comprehend the importance of good customer relations. Relevant topics include: entrepreneurial marketing, sales marketing, customer rights, regulations, customer service, disciplinary actions, ethics, marketing public relations, manufacturing requirements, human resource policies and procedures, communication. This case could be included in marketing, sales marketing, entrepreneurship, human resource, organizational behavior, or retail classes.

#### **DATA SOURCES**

This information was obtained by one of the authors who was employed by the retailer at the time of the incident.

### **EPILOGUE**

In this case, the retailer protected their best interest by attempting to satisfy the customer after the fact. The company took the following actions:

- 1. The store manager contacted Mrs. Jones and apologized for Linda's actions. He assured Mrs. Jones that Linda would be reprimanded for her actions. He emphasized that the customer is the company's number one priority and that Linda's actions were unacceptable. He explained the company's return policy, and offered to trade the defective suit for another suit made by the same manufacturer of equal value. He then explained that this suit had not been the store's merchandise, but the store would return the merchandise to the manufacturer nevertheless. The store manager agreed to personally contact the manufacturer to recommend that the buttons be checked for quality.
- 2. Mrs. Jones accepted the apology, and traded in her melted button suit for another one. She gladly paid the difference in price for the new suit.
- 3. Mr. Markus verbally warned Linda, documented the warning, and placed it in her personnel file. He warned her that if there was another customer service complaint she would be terminated. He then urged her to write a letter of apology to Mrs. Jones. Linda wrote a letter of apology to Mrs. Jones. Currently, Linda is still employed at the store.

- 4. The store manager contacted the manufacturer and advised them of the defective buttons. He also sent the defective suit back to the manufacturer. The store took a loss of \$248 for the suit.
- 5. The manufacturer was checking into the composition of the buttons from their supplier when the case was written.