

PROPERTY PRACTICE QUESTIONS

QUESTION 4

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Topic: Personal Property

Sub-topics: Bailment

Type: Essay

Difficulty: High

Time: 60 minutes

Raymond, an old college roommate of Taylor, loaned Taylor his expensive motorcycle so Taylor could continue going to work while his car was in the shop. Raymond worked from home so he could do without the bike for a while. However, because Raymond occasionally used the bike to ride downtown to meet with clients, he asked Taylor to return it by Friday.

When Taylor picked up the bike on Sunday, Raymond had forgotten to take his new 30-gig iPod, his digital padlock for the bike, and his platinum I.D. bracelet out of the zipper pouch on the cross-bar. On Monday, Taylor went to his job at a bike repair shop called “Taylor’s Discount Transportation” and parked the motor bike in the same garage where the clients’ repaired bikes were parked.

A customer, Joe, spotted Rob’s motor-bike and asked if it was for sale. Joe owned a couple of motorcycles and was familiar with the market values of particular brands. Taylor offered the bike to Joe for \$100.00. Joe happily agreed and rode away with Raymond’s bike in the back of his pick up truck. Before selling the bike, Taylor had taken the zipper pouch off the bike but subsequently lost it.

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On Friday, Taylor avoided Raymond's calls. Then on Saturday, Raymond spotted Joe and his bike at the local convenience store. When asked about the bike, Joe stated he had just purchased it at "Taylor's Discount Transportation."

Raymond has filed a conversion action against both Taylor and Joe, for the bike, the bracelet, the padlock, and the iPod. Is he likely to succeed? What should he receive from Taylor? From Joe? Explain fully.