

QUESTION 1

Twenty years ago, Flowers, Inc. (Flowers) built a large greenhouse facility in a rural area twenty miles outside of the city of Urbania at a cost of \$20 million. Flowers employs 20 workers. Because many of the plants grown in the greenhouse require more light than is naturally available, Flowers installed a system to provide needed light during normally dark periods. The light was extremely bright, casting a glow far beyond Flowers' property.

Flowers was successful in its business, but became concerned as the suburban area around Urbania expanded and as houses were built closer and closer to its greenhouse.

Flowers decided to put up signs all around its property warning prospective residents of the light created by the business.

Harry saw Flowers' signs when he was thinking about buying one of the nearby residences, but figured that the light could not be that bad. He subsequently purchased and moved into an expensive new home, much like all the others in the area, on the street directly facing Flowers' greenhouse.

After having lived there three months, Harry decided that he could not tolerate the light coming in his windows 24 hours a day. He has asked Flowers to turn off the lights, and Flowers has refused, arguing that its facility is completely up to industry standards, that there is no way to continue the business without the light, and that Harry knew about the issue when he bought the house.

1. What tort claims can Harry reasonably bring against Flowers? Discuss.
2. What remedies can Harry reasonably seek? Discuss.