

MEDIATION BOMBAY 2.0 PROPOSITION PRELIMS - 1



THE DEVIL RENTS OUT PRADA

GENERAL INFORMATION

Andrea Sachs, a.k.a. Andy, is a young and ambitious cosmetologist and entrepreneur, standing up to the mainstream fashion and beauty industry that has primarily catered to white women of privilege. She shot to success after opening her first beauty salon in 2018, Ebony, in Harlem. People could not stop raving about her unique treatments and self-crafted products, that are specifically suited to and popular amongst women of colour. Her best-selling product is a hair conditioner called "CurlSpeak", that Andy makes herself with a secret recipe.

Andy's brand is strongly centred around her identity as a black, independent woman in the business world. Her quirky personal style and inimitable skill has helped Ebony gain a cult status amongst her massive following on social media. She is an "influencer" of sorts, interacting with her followers on Twitter, YouTube and Instagram.

She was thrown into the limelight when Vogue featured her, crediting her as a pioneer in the Black is Beautiful movement. Andy was quoted as saying, "There is nothing more empowering than being a woman of colour with a self-owned business, and inspiring young girls to follow suit... My next goal is to take the Black is Beautiful movement from Harlem and right into the heart of Manhattan, for the whole world to see."

To her surprise, shortly after, she was contacted by none other than Miranda Priestley, fashion icon and the CEO of Argent, a leading luxury beauty brand. Miranda is also the owner of Prada Tower located on Madison Avenue, New York, and invited Andrea to rent out a much sought-after space in Prada Tower, for Ebony. Andy, seeing her dreams come true eagerly pounced on the offer, but rebuffed any attempt by Miranda to get involved in the venture. Andy was determined to stay independent, and thus, agreed to an exorbitant rent of \$200,000. Now, conscious of her budget, Andrea began preparation for the studio in full swing. As a small-scale, independent business owner, she was aware that she could not afford to incur any excessive and impractical expenses. She has raked the necessary budget for any construction work, décor and initial equipment for the studio, after having taken out the necessary business loans.



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In November 2020, amidst the final stages of Andrea's preparations, New York is placed under immediate lockdown on account of being the worst hit by the COVID-20 pandemic. With no labour available, Andrea was forced to stop all preparations and renovations for her studio after only 70% completion. As a month passes, with an incomplete studio and no prospects of her business starting, she realises she won't be able to pay rent. She defaults on the first rent. But seeing as an opportunity like this might not come her way again, she requests Miranda to allow her a month to figure out her finances, and make good on the rent.

Miranda has gained a reputation for having an icy demeanour when it comes to both fashion and business. She was not known to allow exemptions or award kindness. It came as a complete shock when she not only allowed Andy the exemption of a month, but was also quoted in an interview saying, "Andrea is doing some revolutionary work. I'm intrigued to see where the future takes her." Words of such high praise from Miranda were worth a few million in themselves, and Andrea knew that a change of opinion would only cost her more.

On 1st Jan 2021, Miranda's lawyers have issued legal notice to Andy for the recovery of rent with threat of legal action on default. Andy's studio remains incomplete and with even her existing business taking a hit, she has no money to pay the rent. Seeing that Miranda's impatience is slowly growing Andy invites Miranda to a mediation to find a mutually beneficial solution to the situation at hand.

As per official notification, salon businesses will be permitted to resume only in March 2021, with strict social distancing norms in place, and compulsory safety mechanisms.