

## UNCONVENTIONAL AND GROWING, INC.®

"Crazy" Craig Cravath is a somewhat eccentric yet enthusiastic businessman who believes in the social responsibility of business. Incidentally, he is also interested in making enough money to live a comfortable life. As a supporter of the ecology movement, he is very concerned with the hunting of animals for industrial purposes, such as the making of furs, shoes, and ladies' handbags. As a consequence, he formed Unconventional and Growing, Inc., a company with a mission of promoting crocodiles as household pets. (The choice of the animal was purely coincidental.) He plans to catch crocodiles in Southeast Asia and sell them in the United States.<sup>1</sup>

The senior leadership team of the company consists of Mr. Craig Cravath (President), Bubba Gump (Vice President of Production, who is in charge of catching crocodiles), Wiley Lowman (Vice President of Sales), and Nikita La Femme (Vice President of Operations, who is in charge of administrative functions including cash collection from customers).

### **Facilities Planning**

The first task facing Mr. Cravath was to raise capital. This required estimating future capital needs by projecting the physical facilities and working capital needed for the business. Mr. Cravath's estimates showed that he would need a fleet of boats to catch crocodiles in Southeast Asia and a holding tank in the State of Gould to keep them alive in captivity after they are shipped. Because of the need to extend liberal credit terms to skeptical customers, the company needed working capital to carry inventories and receivables. Finally, the company needed a large start up investment for sales and an advertising campaign. The firm also needed funds to hire new employees and to rent office space in the State of Gould. Mr. Cravath asked Nikita La Femme to prepare a forecast of activity to plan facility needs and to translate it into capital needed to start the business.

### **First Year Results**

Based on the forecast provided by Ms. La Femme, Mr. Cravath and his ecology minded friends raised the capital for acquiring the facilities. He leased ten boats in Southeast Asia, a 20,000 square foot warehouse with a holding tank for the crocodiles in the State of Gould, and a 2,500 square foot office in the State of Gould. Both the warehouse and the office were leased from Pauly Property Management Services for three years, beginning January 1, 2008.

The company opened its door for business on January 1, 2008. Wiley Lowman launched an aggressive sales and advertising campaign built around the slogan that crocodiles were warm, friendly and greatly misunderstood creatures that deserved loving care. He designed a slick marketing campaign built initially around the slogan: "Crocodiles -- don't handbag them, handle them with love."

During its first year, the company spent approximately \$300,000 to catch 500 crocodiles. Of these, 300 crocodiles were sold and shipped to customers at a selling price of \$1,000 per crocodile. Shipping costs of \$50 per crocodile were paid for during the year. Customers were given liberal credit terms and only \$160,000 from an equivalent 200 customers was collected during the first year. Ms. La Femme estimated that as much as 20% of the sales price will be spent in collection costs and bad debts expenses.

At the end of the first year, Mr. Cravath consulted with his other two colleagues and estimated that he could catch and sell 600 to 800 crocodiles for the next year. Because of the company's apparent success, Mr. Cravath wanted to expand its facilities. This meant getting funds to rent more boats and warehouse space. He believed that he could now overcome the skepticism of banks and ask for a loan. On January 2, 2009, Mr. Cravath notified Pauly Property Management Services that he no longer needed

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<sup>1</sup> Assume that Mr. Cravath has somehow managed to obtain permits to sell live crocodiles legally.

their current warehouse and office space. He would be vacating the properties by January 30th in order to move into larger facilities.

He asked Ms. La Femme to prepare an income statement for the bank in accordance with generally accepted accounting principles (GAAP). In addition, since the executives were on a profit sharing scheme, it was necessary to determine profits in order to pay year-end bonuses.

Ms. La Femme entrusted this task to her young staff accountant, Harry Dim, who had only recently graduated from college and was on his first job. After he familiarized himself with the facts, Dim realized that he needed to look up the GAAP accounting rules for preparing an income statement. At that same moment, he also realized with some consternation that he had sold his college accounting textbook when the course was over. Dim headed to his college library to find the relevant reference material.

A review of his old accounting textbook told him that two GAAP principles were particularly relevant for his current task. The first was the *matching principle*, which requires that costs and revenues be matched by time periods. The other was the principle of *revenue recognition*. His next step was to copy and read the relevant sections of these principles from the pronouncements of the Financial Accounting Standards Board. Attachment 1 shows the results of Dim's research into the appropriate GAAP rules for preparing income statements.

On first reading the material, Dim thought it was going to be easy to prepare an income statement. He remembered learning that for most businesses revenue was earned when goods were sold (that is, when title passed from the seller to the buyer). However, as he read the statements of the FASB, he realized that revenues could be recognized when production was complete or when cash was collected. According to the FASB standard, "revenues are considered to have been earned when the entity has substantially accomplished what it must do to be entitled to the benefits represented by the revenues."<sup>2</sup>

Dim realized that in order to determine the revenues for 2008, he must first determine when the earning process is complete. This, however, was not a usual business. Therefore, Dim was not sure when Unconventional and Growing was "entitled to the benefits represented by the revenues". In order to determine the critical point in the operations cycle when the business could do this, he decided to talk to the three top executives.

His first conversation was with Bubba Gump, V.P. Production. Gump told him that catching crocodiles was the most critical activity for the business since "it is difficult to trap them suckers and you can lose a few limbs in the process if you are not careful."

Dim next spoke to the Wiley Lowman, V.P. Sales. Lowman pointed out that while catching may be a dangerous activity, no one is likely to buy a crocodile because it is risky for us to catch them. He felt the company's success this year was largely due to his clever holiday season advertising campaign with its theme of: "this year give that special someone something live! Someday they can produce their own shoes, handbags, and belts."

Dim's final conversation was with Nikita La Femme, V.P. of Operations. She told Dim that, in her opinion, the crucial activity for the business was cash collection. As she put it: "Bubba and Wiley have never tried collecting cash. If they did, they would find out in a hurry that it is difficult to collect cash from people who keep crocodiles as pets. Besides, we don't have a collection agency that is willing to repossess live crocs!"

<sup>2</sup>Financial Accounting Standards Board, Statement of Concepts # 5, Paragraph 83.

### The Lawyers Call

Even as Dim was puzzling over how to proceed, he received a call from Ms. Nikita La Femme. "Harry, I just heard from our lawyers. Apparently, Pauly Property Management Services (the property

management company that leased us the warehouse and office space) is claiming that we had no right to break the lease. We are being sued for an amount equal to the balance of the lease term and for punitive damages. Later that day Harry received the memo from the lawyers that is summarized in Attachment 2.

### ***Required***

Assume that you have been hired as a consultant by Nikita La Femme to help her and Harry Dim. She has asked you for your help on the GAAP income statements and the legal issues arising from the lease cancellation. Please write a *business report* using the case writing guidelines and *report format guide* from the Gateway website.

To prepare an answer to this case you may want to review the following top ten concepts from the LDC Review material:

1. **Financial Accounting # 3.** Know the basic concepts underlying financial reporting (e.g. matching, consistency, etc.).
2. **Financial Accounting # 4.** Know how to record and read a simple business transaction.
3. **Financial Accounting # 8.** Understand the timing of revenue and expense recognition.
4. **Business Law # 5.** Understand the duty to mitigate damages.
5. **Business Law # 9.** Understand the differences between compensatory and punitive damages.

**Attachment 1**  
**Excerpt of Relevant GAAP Principles for Income Statement Preparation**

I - ACCOUNTING PRINCIPLES STATEMENT # 4. GENERALLY ACCEPTED ACCOUNTING PRINCIPLES-- PERVASIVE PRINCIPLES<sup>2</sup>

**Footnote 43.** The term matching is often used in the accounting literature to describe the entire process of income determination. The term is also often applied in accounting, however, in more limited sense to the process of expense recognition or in an even more limited sense **to the recognition of expenses by associating costs with revenue on a cause and effect basis.**

**Associating cause and effect.** Some costs are recognized as expenses on the basis of a presumed direct association with specific revenue . . . Although direct cause and effect relationships can seldom be conclusively demonstrated, many costs appear to be related to particular revenue and recognizing them as expenses accompanies recognition of the revenue. Examples of expenses that are recognized by associating cause and effect are sales commissions and costs of products sold or services provided.

II - STATEMENT OF CONCEPTS # 5. RECOGNITION AND MEASUREMENT IN FINANCIAL STATEMENTS OF BUSINESS ENTERPRISES<sup>3</sup>

**Revenues and Gains -- Paragraph 83.** Revenues and gains of an enterprise during a period are generally measured by the exchange values of the assets (goods or services) or liabilities involved, and recognition involves consideration of two factors (a) being realized or realizable and (b) being earned, with sometimes one and sometimes the other being the more important consideration.

- a) Realized or realizable. Revenues and gains generally are not recognized until realized or realizable. Revenues and gains are realized when products (goods or services), merchandise, **or other assets are exchanged for cash or claims to cash.** Revenues and gains are realizable when related assets received or held are readily convertible to known amounts of cash or claims to cash.
- b) Earned. Revenues are not recognized until earned. An entity's revenue-earning activities involve delivering or producing goods, rendering services, or other activities that constitute its ongoing major or central operations, and **revenues are considered to have been earned when the entity has substantially accomplished what it must do to be entitled to the benefits represented by the revenues.**

**Paragraph 84.** In recognizing revenues and gains:

- a) The two conditions (being realized or realizable and being earned) are usually met by the time product or merchandise is delivered or services are rendered to customers, and revenues from manufacturing and selling activities and gains and losses from sales of other assets are commonly recognized at time of sale (usually meaning delivery).
- b) If sale or cash receipt (or both) precedes production and delivery (for example, magazine subscriptions), revenues may be recognized as earned by production and delivery.

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<sup>2</sup> Financial Accounting Standards Board, APS 4: *Basic Concepts and Accounting Principles Underlying Financial Statements of Business Enterprises*, APS 4, October 1970.

<sup>3</sup> Financial Accounting Standards Board, *Statement of Concepts # 5*, Paragraph 83, December 1984.

- c) If product is contracted for before production, revenues may be recognized by a percentage-of-completion method as earned--as production takes place--provided reasonable estimates of results at completion and reliable measures of progress are available.
- d) If products or other assets are readily realizable because they are salable at reliably determinable prices without significant effort (for example, certain agricultural products, precious metals, and marketable securities), revenues and some gains or losses may be recognized at completion of production or when prices of the assets change
- e) If collectability of assets received for product, services, or other assets is doubtful, revenues and gains may be recognized on the basis of cash received.

**Attachment 2**  
**Lawyer's Memo on Unconventional and Growing's Legal Liability**

**M** E M O R A N D U M

TO: Nikita La Femme  
Unconventional and Growing, Inc.

FROM: Leonard Lawyer, Esq.

RE: Unconventional and Growing

DATE: January 3, 2009

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I just spoke with Parker H. Larry, the attorney for Pauly's Properties. According to Mr. Larry, his client leased to Unconventional and Growing 2,500 square feet of office space and 20,000 square feet of warehouse space.

According to Mr. Larry, Pauly's is prepared to sue Unconventional and Growing for \$372,000. [This amount includes \$72,000 in lost rent and \$300,000 in punitive damages.] The claim is itemized below:

<u>Warehouse:</u>			
Monthly rent	\$2,000		
Balance of the lease	24 months		
Total rent for warehouse			48,000
<u>Office space:</u>			
Monthly rent	1,000		
Balance of the Lease	24 months		
Total rent for warehouse			<u>24,000</u>
TOTAL RENT			72,000
PUNITIIVE DAMAGES			300,000
TOTAL RENT AND PUNITIVE DAMAGES			<u>372,000</u>

We need to discuss this right away! Please call at your earliest convenience.