

Just In Case ... some practice with case studies

CASES ON CONTRACTUAL ELEMENTS:

Offer & Acceptance, Genuine Agreement, Consideration, Capacity, Legality

Marge was driving to work with a friend and was getting frustrated sitting in traffic. She got so mad that she yelled "I hate driving in this @*&# thing ... I would be willing to trade this car in for a bicycle and peddle to work instead." Marge's friend exclaimed "I accept!"

Which element of a K does this deal with? _____

What is the problem or the exception?

Is the K valid, void, or voidable? _____



Burgers R Us mails a job offer to Gary on Monday and Gary receives the offer on Tuesday. Gary mails his acceptance letter on Wednesday and it arrives at Burgers R Us on Friday. Unfortunately, Burgers R Us changed its mind on Thursday and mailed a revocation letter, which was received by Gary on Friday.



Which element of a K does this deal with? _____

What is the rule about the timing of contractual communications?

Does he have the job or not? _____

Jimbo told Dan that he would sell his dog to him for \$250. Dan agreed, but said he would only pay \$225.

Which element of a K does this deal with? _____

What is the problem or the exception?

Is the K valid, void, or voidable? _____



Ham says that he would be willing to sell his boat for \$400, but needs to know by 4pm today. Tim calls Ham the next day and accepts.



Which element of a K does this deal with? _____

What is the problem or the exception?

Is there a valid contract? _____

BONUS: What could Tim have done to make sure the offer stayed open until the next day?

Your beloved cat Oscar wanders away. You hang flyers up all over town offering a reward of \$100 for the cat's safe return. Somebody you've never met shows up at your door with your cat.



Which element of a K does this deal with? _____

Was there a valid contract? Do you owe the person the \$100?

What is the rule about this?

Not everybody in the neighborhood is happy that Oscar the cat was returned. A guy down the street hires an "exterminator" to poison the cat and get rid of it once and for all.

Which element of a K does this deal with? _____

What is the problem or the exception?

Is the K valid, void, or voidable? _____



An 18-year old promises not to drink alcohol until he turns 21 in exchange for \$400.



Which element of a K does this deal with? _____

What is the problem or the exception?

Is the K valid, void, or voidable? _____

An 18-year old promises not to smoke cigarettes for three years in exchange for \$400.

Which element of a K does this deal with? _____

What is the problem or the exception?

Is the K valid, void, or voidable? _____

BONUS: Does the K need to be in writing?



You go to sign the lease on a new apartment, but forget to bring your glasses. You sign the contract without reading it and later find out that pets are not allowed. You tell the apartment manager that you want out of the contract because of this mistake.



Which element of a K does this deal with? _____

What is the problem or the exception?

Is the K valid, void, or voidable? _____

Jennifer threatens to tell everyone what Freddie did last summer if he doesn't agree to make a movie with her. Freddie reluctantly agrees.

Which element of a K does this deal with? _____

What is the problem or the exception?

Is the K valid, void, or voidable? _____



Mindy tells John that she will clean his house for \$100. Stan overhears this and accepts the offer before John can respond.



Which element of a K does this deal with? _____

What is the problem or the exception?

Is the K valid, void, or voidable? _____

While you're shopping at a garage sale, you see a pair of skis that look nice. You ask the owner whether they are in good condition. He responds that they are in great shape and were barely ever used. In reality, the skis are pretty old and have been repaired in several places. You buy them, but when you go skiing, they fall apart and you break your leg.

Which element of a K does this deal with? _____

What is the problem or the exception?

Is the K valid, void, or voidable? _____



BONUS: What remedies might you have in this case?

A nurse is taking care of an elderly man in his home. She says that if he wants his heart medication, he should sell his gold watch to her for \$10.



Which element of a K does this deal with? _____

What is the problem or the exception?

Is the K valid, void, or voidable? _____

A 15-year old buys a new MP3 player for \$200. A year later, she wants to take it back.

Which element of a K does this deal with? _____

What is the problem or the exception?

Is the K valid, void, or voidable? _____



Kyle is 17 and signs up for a two-year magazine subscription. A week after he turns 18, he writes the magazine company to cancel the subscription.



Which element of a K does this deal with? _____

What is the problem or the exception? _____

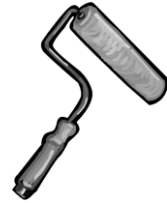
Is the K valid, void, or voidable? _____

Vera tells her Aunt that she will paint her fence for \$100 this Saturday, if she has time.

Which element of a K does this deal with? _____

What is the problem or the exception? _____

Is the K valid, void, or voidable? _____



Willy pays a friend \$50 to steal the answers to the Business Law final exam. Before his friend has a chance to get the test, Willy gets cold feet and backs out.



Which element of a K does this deal with? _____

Is the K enforceable? Can Willy get his \$ back? _____

What is the problem or the exception? _____

Your grandfather offers to give you \$10,000 as a college graduation gift if you get straight A's all four years. You graduate with a 4.0 and ask him for the money, but he just says "PSYCH!"

Which element of a K does this deal with? _____

Is the K enforceable? Can you collect your money? _____

What is the problem or the exception? _____



You own a pet store and you order \$1000 of exotic fish from a company in South America, including \$100 for a fish that is illegal to bring into the U.S.



Which element of a K does this deal with? _____

Is the K enforceable? _____

What is the problem or the exception? _____