

CONTRACT CASES

1. Gabe Atwood, without help from the lady having the garage sale, buys a suit that he thinks is made of wool. He later discovers that the suit is polyester. Because of the mistake, Atwood demands that the lady take back the suit and return his money. Must the lady comply with his demand? Why?
2. Ed Rodriguez's ex-wife's boyfriend tells Rodriguez that he will be "taken care of" unless he signs a particular agreement. Rodriguez signs the agreement against his will, giving his house to his ex-wife. Is Rodriguez bound by the agreement? Why or why not?
3. Robert Houlihan agreed to sell his car to Cynthia Smith for \$1,000. Unknown to both of them was the fact that the car had been totaled the night before and could not be repaired. Will Robert be able to enforce the contract with Cynthia? Why?
4. Greg and Connie Merunk, a young married couple, bought a new kitchen set from the Harn Furniture Mart. The salesperson said, "This kitchen suite is the finest in town and you won't find one better." Convinced of its fine quality, Greg and Connie purchased the suite only to find out a later that the suite was not fine. They were disappointed and wanted to rescind the contract. Are the Merunks bound to their sales contract? Why or why not?
5. Maggie Leary was hired to take care of Trudy Law, an elderly lady who was in poor health. Leary was a strong, persuasive person, and Law was weak and ill. After caring for Law for three weeks, Leary talked law into signing a contract agreeing to transfer all property to Leary. On what grounds may this contract be attacked? Explain.

6. Cody wanted to sell his Mustang convertible. Jared heard about Cody's Mustang and was interested in buying it. Jared went over to Cody's house to take a look at the car. After taking it for a test drive, Jared had a few questions about the vehicle before he would make his decision on whether to buy it or not. Among these questions, Jared asked Cody if there were any problems with the roof, because a "leaky roof" can be a problem with convertibles. Cody assured him that there were not any problems with the roof and it would not leak on him. Jared then, trusting Cody's word about the roof, agreed to buy the Mustang. A week later, it rained, and when Jared went to get into his Mustang, water had leaked through the roof and caused damage to his interior. Will Jared win a lawsuit for fraud against Cody? Since this is a fraud case, you must write down each element of fraud, and then use the information from the case to address/answer each element.

Element #1:

Element #2:

Element #3:

Element #4:

Element #5:

7. In the movie “The Rainmaker” what was the insurance fraud committed by Great Benefit?
8. What is Matt Damon’s character’s name? Matt Damon was the young lawyer representing Donnie Ray Black.