

Contracts I
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Sample Exam Question #3

CAVEATS: This question is an example only. It does not cover enough material to constitute an entire exam. The questions on the real exam are of varying degrees of difficulty, and the number of points assigned to each question varies correspondingly.

Bethany wrote Sigmund on March 1st expressing her desire to purchase a certain 100-acre plot of land from Sigmund. Bethany's letter stated that her offer will expire "if I do not receive a written reply from you by April 1st."

- A. Did Bethany make an offer that Sigmund could accept by manifesting his assent and thereby form a contract?
- B. On March 5th, Sigmund telephoned Bethany to confirm his acceptance of Bethany's offer. Was there a contract between Bethany and Sigmund as a result of Sigmund's call?
- C. Suppose, instead, Sigmund wrote a letter of acceptance which was properly addressed and mailed to Bethany on March 10th, but was never received by Bethany. Was there a contract between Bethany and Sigmund as a result of Sigmund's March 10th letter?
- D. Same facts as "C," but in addition, on March 31st, Sigmund telephoned Bethany to confirm his acceptance of Bethany's offer. Was there a contract between Bethany and Sigmund as a result of Sigmund's March 10th letter and/or his March 31st phone call?
- E. Same facts as "D," but in addition, when Sigmund called Bethany on March 31st, Bethany said "I revoke my offer." Was Bethany's revocation effective?
- F. Same facts as "E," but in addition, on March 31st, after the phone conversation, Sigmund dispatched a second letter of acceptance to Bethany. Bethany received this second letter on April 1st. Was there a contract between Bethany and Sigmund as a result of Sigmund's March 31st letter?
- G. Instead of the facts in "B" through "F," suppose Sigmund delivered a deed to the land in question to Bethany on some date prior to April 1st. Would there be a contract between Bethany and Sigmund as a result of Sigmund's delivery of the deed to Bethany?