

Contracts I
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Sample Exam Question #6

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.

Methuselah was getting along in years and wanted to provide for his grandson Noah's future. Over dinner one evening, Methuselah asked Noah what he would like Methuselah to leave him after Methuselah died. Noah replied that he was very fond of Methuselah's chinchilla ranch. "Very well," said Methuselah, "I will change my will to leave you the chinchilla ranch." "Thanks, Grandpa," Noah replied. "I'll make you proud."

- A. Was Methuselah contractually obligated to amend his will to leave the chinchilla ranch to Noah? Please explain.
- B. Suppose that Noah was a precocious sixteen year old who was, in Methuselah's opinion, a bit too fond of cold beer, high stakes, and fast cars. Methuselah promised to will the chinchilla ranch to Noah if Noah would refrain from drinking and gambling and avoid speeding tickets for the rest of Methuselah's life. Noah promised to refrain from drinking and gambling and to avoid speeding tickets for the rest of Methuselah's life. Was Methuselah contractually obligated to amend his will to leave the chinchilla ranch to Noah? Please explain.
- C. Suppose that, in addition to promising to refrain from drinking and gambling and to avoid speeding tickets for the rest of Methuselah's life, Noah actually did as he promised for the rest of Methuselah's life. Was Methuselah contractually obligated to amend his will to leave the chinchilla ranch to Noah? Please explain.
- D. When Methuselah's regular chinchilla herder told Methuselah that he required back surgery and that the doctor estimated it would take at least six months for him to recover sufficiently to resume work, Methuselah sought to hire Shem to tend the herd for a period of up to six months, or until Methuselah's regular chinchilla herder became physically able to resume his duties, if he was not able to do so for more than six months. In exchange for Shem's services, Methuselah promised to either (1) pay Shem \$1,000 per month or (2) provide Shem's family with suitable rent-free housing for as long as Shem tended Methuselah's chinchilla herd. Was Methuselah's promise to either pay Shem or house Shem's family valid consideration for Shem's services as a chinchilla herder?

- E. Suppose that, rather than promising to either pay Shem \$1,000 per month or provide Shem's family with suitable, rent-free housing for as long as Shem tends Methuselah's herd, Methuselah promised to either (1) pay Shem \$1,000 per month or (2) pay Shem \$500 per month and provide Shem's family with suitable rent-free housing for as long as Shem tended Methuselah's herd. Would that promise constitute valid consideration for Shem's services as a chinchilla herder? Please explain.