

Contracts Exam – Grading Sheets  
Spring 05

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I

Choice of law

K-L contract

CONSIDERATION

NOMINAL

INFANCY – voidable by either party

necessity

SOF

**performance**

MISTAKE

**Nature of mistake**

Risk bearer

Misunderstanding

Moms

Misrepresentation - affirmative - Research

DUTY TO DISCLOSE

Legal training

5k offer

consid

Modification

WARRANTY

Non-Merchants

**Rejection/ Revocation of acceptance**

Medical Expenses

Loss of Salary

**Daily News – Reader**

Choice of law

Consideration

Mistake

Who should bear risk

Tort

II

**Breach - Refusal to pay anything**

Substantial performance

Mistake/Misunderstanding

Interpret the contract

Legality

Trade Usage (residential)

**Hand v. Traynor**

**Unjustifiable Reliance - Bid disparity**

Chopping –

good faith exception?

SOF

Attack firm offer rule

Blacken reputation -Duress

Unlicensed installers

Settlement offer -**duress**

Misrep

consid

Remedies

K

Quasi-K

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III  
COL

**Insurance contract – reasonable interp**

Acceptance by silence = need to check to decline

**Did renter “receive a ticket”?**

**Negligence vs. fault**

Conclusive proof  
Limitation of remedies

Renter’s guide  
Penalty clause?  
Common law bailment

**What happens when accident is caused by negligence of renter?**

Integration clause  
**Ambiguity**  
Evidence of agent?  
Trade Usage  
Canons of Interp

Defects in formation

Relevance of length of contract

Uncs  
Proc  
Subs

CC vs. other driver – double recovery – unjust enrichment