

**FINAL EXAMINATION
CONTRACTS II
PROFESSOR KOSEL
SPRING 2005**

INSTRUCTIONS

1. The total time for this exam is **three (3) hours**. You may allocate your time as you wish.
2. This is a **closed** book exam.
3. There are **TWO PARTS** to this examination, **MULTIPLE CHOICE** and **ESSAY**.

PART I, the **MULTIPLE CHOICE** segment, contains 15 questions and is **WORTH 1/3** of your grade. Indicate the best answer on the ParSCORE Test Form provided.

PART II, the **ESSAY** segment, is **WORTH 2/3** of your grade. Remember to take your time; read, think, analyze and organize your answer before you begin to write. If you believe you lack sufficient facts to answer the question, please specify what additional information you require and how it will affect your answer.

4. Write your exam number on your exam envelope. Put your correct class section and student exam number at the top of this page, each page of questions, and each blue book. **DO NOT** use your name, student ID number or Social Security Number on any exam materials.
5. At the conclusion of the exam, return all test materials including blue books, scratch paper, and this exam packet to the envelope and submit it to the proctor. **DO NOT** seal the envelope. Students who fail to return all exam materials at the end of the exam may not be graded.

Good luck and have a great summer!

Alison, a high school senior, decided to take advantage of the one week spring break to visit several southern California colleges. The trip was “interesting.”

She made her reservations through a tour company. The tour company required a nonrefundable payment of \$2,500 which included the hotel and transportation only. The price quoted was for a double room. The brochure specified a “single supplement” of \$500 for a private room. The agent promised Alison that the charge for a single room would not be imposed because there was no other single tour group member they could pair her up with.

Imagine Alison's surprise when she checked into the hotel the first night and found the most obnoxious tour group member splayed out on the bed by the window. Her roommate explained that she had signed up for the tour only the evening before and was delighted that there had been room at the last minute for one more.

Alison's roommate was a slob – her clothes were strewn from one end of the room to the other. Her personal hygiene left much to be desired. And her snorts throughout the night kept Alison awake. Alison finally fell asleep around 7:00 a.m. only to be awakened by the noise of construction workers who were remodeling the hotel. After the first night, Alison bought a set of earplugs for \$15 and used them the remainder of the week.

At least Alison was busy visiting the different colleges during most of the day. She spent as little time in the room with her roommate as possible. She would have liked to spend her free time in the hotel swimming pool – but that was right in the heart of the hotel's construction zone. So Alison slipped off to the local Y to swim each evening at a cost of \$10 a day.

One free afternoon, Alison walked over to the local zoo. She purchased a large original work of art in the gift shop at the zoo for \$25. It had been created by Pigasso, a warthog, to raise funds for the zoo. Alison went to the gift shop in the hotel lobby to purchase a cardboard tube so she could roll the painting up and mail it back home. An obviously inebriated guest lurched out of the lobby bar, admired the painting and asked if it was a Picasso. Alison carefully enunciated "it is a Pigasso which I just bought down the street." The drunken guest pulled out his money clip and pulled off twenty hundred-dollar bills which he gave to Alison in exchange for the painting. As he staggered off, Alison heard him bragging to his buddies about how he had taken advantage of that naïve little blonde girl, buying a genuine Picasso worth at least twenty thousand dollars for only two.

On her return home, Alison decided to pursue legal action against the tour operator because of her poor accommodations and her hideous roommate. She might have let it go if the drunk in the hotel lobby hadn't sent her a letter demanding his money back. Alison called up her cousin's boyfriend, a recent graduate of GGU, for legal advice. What did she learn?

Her cousin's boyfriend never mentioned any charge for his services. Does Alison have to pay the bill he just sent her for \$225?

END OF EXAM