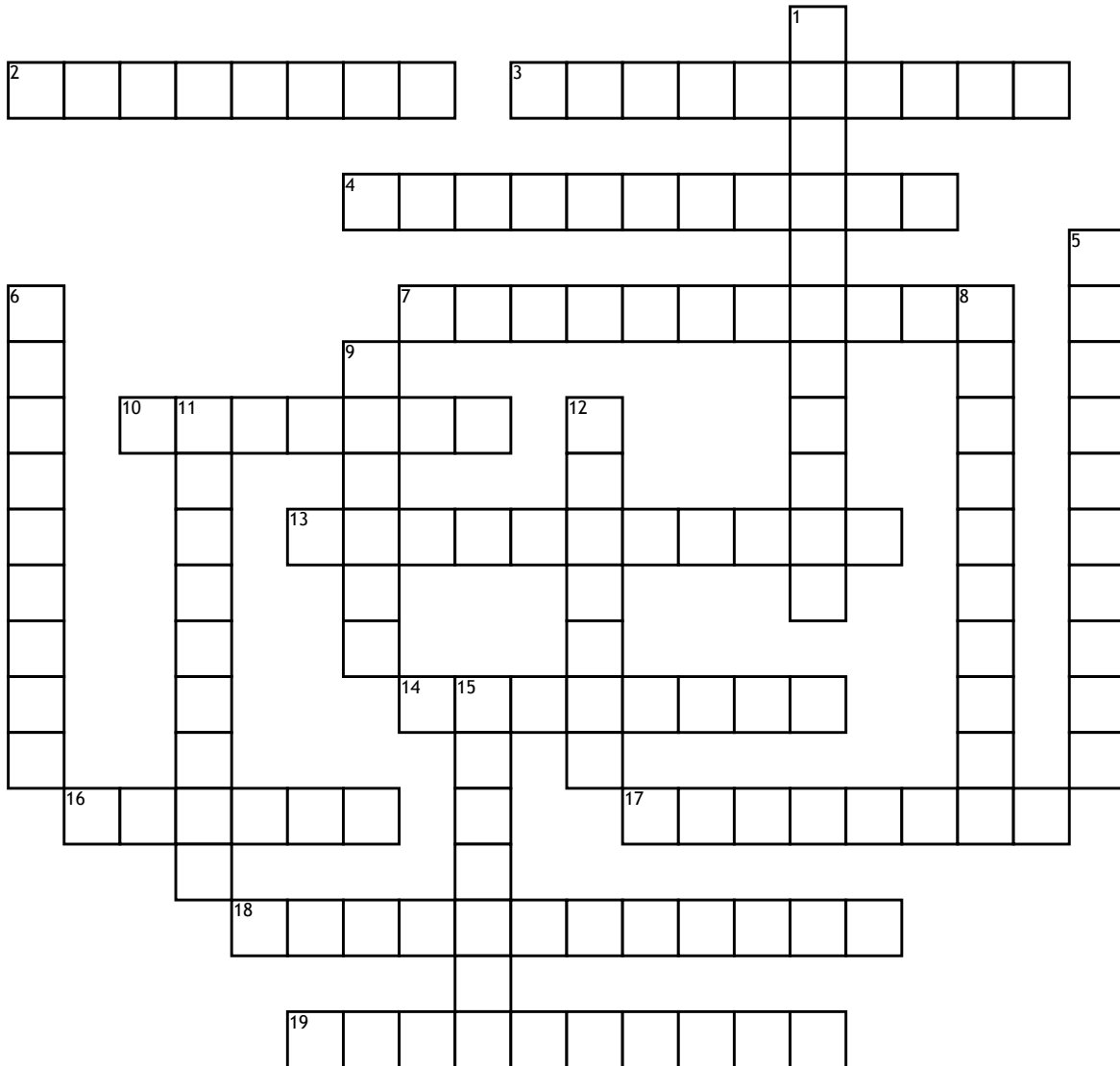


Contracts: Agreement and Consideration



Across

2. Adele offers to buy Giovanni's bike for \$400. Giovanni replies, "I may sell you my bike if I wish to." Where performance is entirely optional, the promisor has not actually promised anything. Giovanni has made an _____ promise.
3. Clark, trying to impress Lana on their first date, offers to buy her a 2020 BMW M850i xDrive convertible in one week. Lana will be unable to enforce this promise if Clark decides not to buy her the BMW as he made a _____ promise, an offer of a gift.
4. Mia offers to sell Burton an iPhone 10 for \$400. Burton asks to inspect the phone. As Mia pulls the phone from her pocket, someone jostles her causing her to drop the phone in the roadway where it is run over by a garbage truck and crushed. The offer has been terminated by operation of law because of _____ of the subject matter.
7. Wilhelm promised to pay his nephew, Karl, age 25, \$50,000 if Karl would refrain from drinking alcoholic beverages, using tobacco, and gambling for one year. Karl agreed and fully performed his part of the bargain. In this example, Karl provided legally sufficient consideration by refraining from actions that he had a legal right to undertake, called _____.
10. Raymond offers to buy Francie's digital pen for \$100. She responds, "Is that your best offer?" Francie has not rejected the offer but has made a mere _____.
13. Under a contract with Whittaker Farms, Digger's Excavation, Inc. begins digging an agricultural pond. Mid-project, Digger's demands \$15,000 over the contract price, claiming an increase in the "cost of doing business." Whittaker Farms agrees but then later refuses to pay. Their agreement for the additional \$15,000 is unenforceable as it is not supported by consideration. Digger's performance to dig an agricultural pond was a _____ duty.

14. A promise which is not supported by consideration may still be enforceable under the doctrine of promissory _____ where a person has reasonably and substantially relied on the promise of another. Application of the doctrine is intended to avoid the injustice that would otherwise result.
16. Ishmael's, a local grocer, offers to purchase all of the corn produced by Whittaker Farms for \$4.15/bushel. Whittaker Farms agrees. Although at first glance this looks like an illusory contract because Whittaker Farms is not obligated to produce any corn, it is actually a valid _____ contract.
17. While courts require legally sufficient consideration, they are not particularly concerned with the _____ of consideration.
18. A court will not rewrite a contract if the parties' expression of intent is too vague or uncertain to be given any precise meaning. Accordingly, an effective offer must have _____ of terms.
19. Lucy contracts with Carl to paint the interior walls of her house chartreuse #5 and eggplant #8 for \$3500. Prior to Carl's performance, the North Carolina General Assembly bans the use of eggplant #8 in interiors because it has too high of a lead content. While a valid contract was formed, it may still be unenforceable because of a supervening _____.

Down

1. A debtor who promises to pay a previous debt even though recovery is barred by the statute of _____ makes an enforceable promise - even without consideration for the promise.
5. If an offer does not specify a time for acceptance, the court will infer that the offer terminates after a _____ period of time.

6. Promises made in return for actions or events that have already taken place are unenforceable. These promises lack consideration because the element of _____-for exchange is missing.
8. The federal act which states an e-signature is as valid as a signature on paper and an e-contract can be as enforceable as a paper one is called the _____. Signatures in Global and National Commerce Act.
9. The _____ image rule requires the offeree's acceptance to match the offeror's terms exactly.
11. Macy's ran a full-page advertisement in Sunday's newspaper displaying Michael Kors purses and accessories on sale. Jamie rushes to Macy's, grabs a medium messenger signature bag and tells the cashier "I accept your offer!" Generally, representations made in advertisements are not treated as offers to contract but as invitations to _____.
12. The _____ rule states that acceptance takes effect at the time the offeree sends or delivers the communication via the mode expressly or impliedly authorized by the offeror.
15. Except in limited circumstances when the offeree has had prior dealings with the offeror, _____ cannot constitute acceptance of an offer.