

✍ LESSON 7—1 QUIZ

Legal Concepts

Directions: Fill in the blank(s) with the most appropriate term or phrase to complete the sentence.

Answers

1. If one party uses physical threats to obtain another party's signature, there is no _____? _____ agreement between them. 1. _____
2. If there is no genuine assent, the apparent contract is _____? _____. 2. _____
3. A(n) _____? _____ occurs when one party backs out of a transaction by asking for the return of what they gave and offering to give back what they have received. 3. _____
4. In a(n) _____? _____ relationship, an inordinate amount of trust and confidence is placed by a dependent party in the dominant party. 4. _____
5. Duress occurs when one party uses a(n) _____? _____ or _____? _____ to obtain an expression of agreement. 5. _____
6. When one party to a contract is in a position of trust and wrongfully dominates the other party, _____? _____ occurs. 6. _____
7. The threat to engage in illegal conduct to win agreement is always considered _____? _____. 7. _____
8. The two key elements in undue influence are the relationship and the wrongful or unfair _____? _____. 8. _____
9. Duress can occur when the threat to _____? _____ is really made for a purpose unrelated to the suit. 9. _____

LESSON 7—1 RETEACH

Directions: Write the numbers 1–20 on index cards in large print. On the other side of the card, write the definition or term that is shown by each number below. Tape the cards to a chalkboard in the pattern below with the numbers facing the students. Divide the students into four or five teams. Each team should choose a captain to answer for them. The team captain will choose any two numbers. Read the contents on the back of the cards out loud. If the two chosen cards form a correct match of a term and its definition, they are removed from the chalkboard and that team scores a point. If the cards do not make a correct match, the next team may take a turn. Note: Do not allow the students to have anything to write with during the game.

Card 1 rescind	Card 2 Using a position of trust to dominate another party	Card 3 An agreement where no threat is made	Card 4 ratification
Card 5 A key element in undue influence	Card 6 A threat to engage in illegal conduct to win agreement	Card 7 voidable	Card 8 unfair persuasion
Card 9 The state of a contract in the absence of a genuine agreement	Card 10 To back out of a transaction	Card 11 Another name for a genuine agreement	Card 12 crime
Card 13 Something you have a duty to report	Card 14 Things that courts consider in economic duress cases	Card 15 duress	Card 16 mutual assent
Card 17 undue influence	Card 18 genuine agreement	Card 19 Conduct suggesting the intent to be bound by a contract	Card 20 threats and alternatives

✍ LESSON 7—2 QUIZ

Legal Concepts

Directions: In the Answers column, write the letter from Column 1 that represents the word or phrase that matches the statement in Column 2.

<i>Column 1</i>	<i>Column 2</i>	Answers
A. opinions	1. An incorrect belief by both parties about an important fact	1. _____
B. innocent misrepresentation	2. Misrepresentation when the misstatement was made recklessly or intentionally and injury resulted	2. _____
C. unilateral mistake	3. Distinguished from facts based on how concrete they are	3. _____
D. mutual mistake	4. Important details that influence the parties' contract decision	4. _____
E. bilateral mistake	5. To establish fraud this must be proven	5. _____
F. fraudulent misrepresentation	6. A statement made by a party who did not know it was untrue	6. _____
G. material facts	7. Another name for mutual mistake	7. _____
H. fraud	8. A substitute for a false statement of fact	8. _____
I. injury	9. An incorrect belief by one of the parties in a contract	9. _____
J. active concealment	10. A statement made by a party who knew it was untrue	10. _____

Legal Applications

11. Cliff Sandstrom offered to sell his Mercury Cougar for \$8,000 to his neighbor Emil. Emil knows that Cliff has taken good care of the car, and he agrees to buy it. Cliff's son, John, drove the car to work a week ago. While John was driving behind a dump truck, a rock was thrown onto the windshield and a small crack resulted. John did not tell his father about the crack. Neither Cliff nor his neighbor noticed the crack before the sale was made. If Emil decides to sue Cliff for active concealment, will he win? Why or why not?

✂ LESSON 7—2 RETEACH

Directions: Circle the answers to each question in the puzzle below. Answers may appear in horizontal, vertical, or diagonal form. They may also be written backwards or from the bottom of the puzzle to the top.

1. What must end when a true statement is made false by subsequent events?
2. A statement made by a party who didn't know it was untrue is called _____ misrepresentation.
3. What kind of mistake involves an incorrect belief by one of the parties in a contract?
4. What kind of mistake involves an incorrect belief by both parties about an important fact?
5. What is another name for a mutual mistake?
6. A statement made by a party who knew it was untrue is called a(n) _____ misrepresentation.
7. What are important details that influence the parties' contract decisions?
8. A crime that is based on misrepresentation is called _____.
9. _____ and intent must be proved to establish fraud.
10. A substitute for a false statement of fact is called active _____.

C	O	N	C	L	M	N	T	N	U	O	C	M	L
F	R	A	U	N	I	L	A	T	E	R	A	L	B
C	O	N	C	E	A	L	M	E	N	T	T	B	E
I	N	O	D	W	D	C	M	O	E	R	B	Y	R
A	C	T	V	E	D	O	B	R	L	A	I	L	A
T	N	E	C	O	N	N	I	S	A	U	L	T	S
E	R	M	A	O	P	A	N	N	U	U	A	A	W
C	D	T	U	R	L	E	J	D	T	O	T	J	A
N	Z	U	A	F	R	A	U	D	U	L	E	N	T
E	A	L	A	P	M	U	R	T	M	P	R	I	J
L	C	C	D	R	S	A	Y	S	B	Y	A	S	R
I	T	J	F	I	F	B	I	V	E	S	L	T	O
S	S	I	T	A	K	E	P	U	D	A	R	F	S