

**QUESTION 7 THE ANSWER TO THIS QUESTION SHOULD GO IN BLUEBOOK III  
OR IN SOFTEST ANSWER SCREEN 7**

Douglas, a senior at Cold College in Michigan, drives to Florida for school breaks and frequently takes other students for a fee. One day he overheard Larry, another student, complaining about the price of flights to Florida during an upcoming break. Douglas told him, "I can give you a ride. I'm sure we can work out a deal that will save you money." Larry said "Really? That would be great—otherwise I have to buy a \$250 airplane ticket." Douglas promised to give Larry a ride, so Larry did not purchase the ticket.

Nina, another student, asked Douglas if he could give her a ride too. She offered to pay \$50 (Douglas's usual charge) but said she would go only if he replaced a bald tire on his car before they left. Douglas agreed, though he never replaced the tire.

The night before the trip, heavy snow was predicted. Douglas, anticipating the drive would take much longer due to bad weather, told Larry he was canceling his trip. Larry immediately bought the only airplane ticket still available, for \$500, and took the flight that night.

The next morning turned out to be clear and dry, so Douglas decided to drive after all. Looking at the blue sky, Nina said, "Guess that bald tire won't be a problem," and hopped in Douglas's car.

Larry sought to recover from Douglas the price of the airplane ticket. Douglas claimed 1) there was no enforceable agreement to give him a ride; and 2) even if there was such an agreement, Larry breached it by taking the flight.

Douglas sought to recover \$50 from Nina; Nina claimed there was no contract because Douglas never replaced the bald tire.

**1. What is Larry's best response to Douglas's arguments? Explain your answers.**

**2. How should a court rule on Douglas's claim against Nina? Explain your answer.**

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