

**QUESTION 14 THE ANSWER TO THIS QUESTION SHOULD GO IN BLUEBOOK  
V OR IN EXAMPLIFY ANSWER SCREEN 14**

Chance Cleary is a very accomplished and popular Michigan wedding photographer. In late 2017, demand for Chance's photography services began growing by leaps and bounds. As a result, Chance, who had been booking his own photography sessions directly with clients, hired Sophia Jones to help with coordinating scheduling of photo sessions and events, session preparation, invoicing, collections and client outreach efforts. Sophia, who was in the business of providing professional administrative services to several artistic entrepreneurs, soon became well-known publicly as the trusted assistant to Chance. Chance routinely directed potential clients to Sophia when approached about performing photography services. However, Chance expressly precluded Sophia from booking photography sessions and events without his prior approval.

Before hiring Sophia, Chance committed to photograph a wedding and reception for friends on August 3, 2019 in northern Michigan. Unbeknownst to Chance, Sophia booked him to cover the Henry wedding that was five hours away in southeast Michigan at the same date and time as the northern Michigan wedding. The Henrys worked exclusively with Sophia in arranging and coordinating photography for their wedding, and they delivered a \$5,000 down payment to Sophia to secure Chance as the photographer.

Chance, who did not learn of the Henry wedding until the day before, could not be in two places at once and covered only the northern Michigan wedding. The Henry couple was devastated and was forced to rely on cell phone snapshots captured by the guests. The Henrys sued Chance based upon Sophia having scheduled him to photograph their wedding. Chance's position is that he should not be liable to the Henrys because Sophia had no permission to bind Chance under the circumstances.

**Applying Michigan law, fully explain the likelihood of Chance succeeding on his defense to the Henrys' lawsuit.**

**\*\*\*\*\*THE ANSWER TO THIS QUESTION SHOULD GO IN BLUEBOOK V\*\*\*\*\*  
OR IN EXAMPLIFY ANSWER SCREEN 14**