

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

Cottage Gardens is a company in the business of growing and selling plants. On January 2, 2015, Cottage Gardens sent a written offer to sell Beverly Florist, Inc. 1,000 white roses at \$3.00 each plus delivery. Beverly Florist, Inc. is a florist that sells flower arrangements. The roses were to be used in a flower show that Beverly Florist, Inc. was hosting on March 15, 2015. The next day, Beverly Florist, Inc. sent a written confirmation that stated, "I accept. Price is \$3.10 each including delivery to the Lansing Convention Center by March 11, 2015." The confirmation was signed by the president of Beverly Florist, Inc.

On March 10, 2015, Cottage Gardens arranged for the delivery of the roses to the Lansing Convention Center. The president of Beverly Florist was present to receive delivery. When the roses were brought inside, it was discovered that 250 of the roses were red. The president accepted the 750 white roses and rejected the 250 red roses. Upon receipt of the rejection, Cottage Gardens immediately faxed a notice to Beverly Florist, Inc. indicating that it intended to supply the 250 remaining white roses by March 11, 2015. The remaining white roses were delivered to the Lansing Convention Center by 9:00 a.m. on March 11, 2015.

- 1. Assume there is a contract. What are the terms and why?**
- 2. Must Beverly Florist accept tender of the white roses that were delivered on March 11, 2015? Explain your answer.**