

Contracts — Conduct Invalidating Assent

1. What are the two types of fraud and what is the effect of each on the contract involved? Give an example of each type of fraud.
2. What elements need to be proved to establish each type of fraud?
3. Give an example of each of the following:
 - a. Unilateral mistake
 - b. Mistake in the meaning of a contract term.
4. Duress
 - a. What are the two types of duress and what is the effect of each on the contract involved?
 - b. Give an example of each type of duress.
 - c. Who does the law intend to protect by reason of the defense of duress? Why does the law protect this type of person?
5. Define undue influence and name some of the relationships that would be affected.
6. Identify two situations in which silence or nondisclosure constitutes a misrepresentation.
7. Misrepresentation
 - a. Name two types of nonfraudulent misrepresentation and define each one.
 - b. What remedies may be available for nonfraudulent misrepresentation?
8. Define and discuss the concept of materiality in relation to misrepresentation