

Read the following story and fill in the blank lines with legal terms taken from the list of terms at the beginning of this chapter:

The smooth-talking salesperson promised a free cataract operation to an elderly woman who was almost blind. Contractually speaking, the salesperson was the _____ and the elderly woman was the _____. However, because the elderly woman promised nothing in exchange for the cataract operation, she suffered no _____. Had the promise been in writing and put under _____ by the use of the letters "L.S." (which stand for _____), it would have been binding in some states. The salesperson also committed _____ or _____ when he lied to the elderly woman. He talked her into buying some worthless land with a shack

on it by telling her that the _____ was beautiful, high ground; actually, it was swampland. The type of fraud was _____, because the salesperson's lie induced the woman to enter into the contract. Because the salesperson was not in a position of trust, the wrongful act was not _____ and it was not _____, because the woman's free will was not overcome by threats or physical harm. It was _____, however, when the salesperson told the woman that she was signing a second copy of the contract when she was actually signing a check for \$10,000. The writing that the woman signed met the requirements of a(n) _____ and, for that reason, was sufficient

to satisfy the _____. Because it was drawn up by the seller to the seller's advantage and offered to the woman on a take-it-or-leave-it basis, the court might consider the contract to be a(n) _____. In addition, the court might consider the contract to be _____, because the woman agreed to buy a shack on an acre of worthless swampland for \$250,000. Under the terms of the contract, she was to pay \$100,000 in cash and sign a note for the balance at 50 percent per annum interest, which is _____.

Although the _____ does not allow prior oral statements by the parties into evidence in court to alter the terms of a written agreement, an exception exists when fraud is committed. In addition, because both parties were mistaken as to the existence of the subject matter when they signed the contract (the shack on the property had burned down two days before the contract was signed), the contract was voidable. The mistake was a(n) _____, which is also known as a(n) _____, not a(n) _____.